

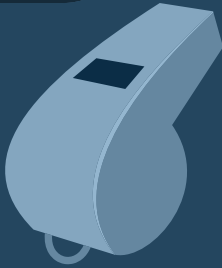
Office of Inspector General
U.S. Department of Health and Human Services

WHISTLEBLOWER PROTECTION INFORMATION

Educating you on your right to report
waste, fraud, and abuse without fear
of reprisal.



WHAT IS A WHISTLEBLOWER?



A whistleblower is someone who reports to a protected source information reasonably believed to evidence:

- violations of law, rule or regulation;
- waste, fraud, and abuse;
- mismanagement;
- substantial and specific danger to public health or safety.

Report Fraud:

Online:
[TIPS.HHS.GOV](https://tips.hhs.gov)

Phone:
1-800-447-8477

Who can be a protected whistleblower?

- Federal employees (civilian or military)
- Applicants for Federal employment
- Federal contractor and subcontractor employees
- Federal grantee and subgrantee employees

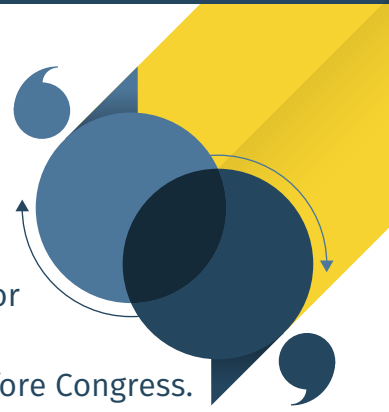
Protected sources include:

- An Inspector General
- A Member of Congress
- A court or grand jury
- Law enforcement officials
- Any person or organization designated by law to receive such communications
- U.S. Office of Special Counsel (HHS Employees only)
- Media (HHS Employees only)

PROTECTIONS

For HHS Employees – 5 U.S.C § 2302

The Whistleblower Protections Act (“WPA”) prohibits anyone from taking or threatening to take a personnel action against a civilian employee or applicant for Federal employment for disclosing information that evidences wrongdoing or for participating in a protected activity, such as an OIG investigation or testifying before Congress. There is no statute of limitations for reporting retaliation under the WPA.



For U.S. Public Health Service Commissioned Corps Officers – 10 U.S.C. § 1034

The Military Whistleblower Protections Act (“MWPA”) applies to all military service members. It prohibits restricting military personnel from communicating with Congress, Inspectors General, or other protected sources. It also prohibits taking, threatening to take, or withholding a personnel action in reprisal against a service member. There is a one-year statute of limitation for reporting retaliation to HHS OIG under the MWPA.

For HHS Contractors, Subcontractors, Grantees, and Subgrantees – 41 U.S.C. § 4712

The National Defense Authorization Act for Fiscal Year 2013 (“NDAA”) makes it illegal for an employee of a Federal contractor, subcontractor, grantee, subgrantee, or personal services contractor to be discharged, demoted, or otherwise discriminated against for making a protected whistleblower disclosure. There is a three-year statute of limitations for reporting retaliation to HHS OIG under the NDAA.

For HHS Employees, Contractors, or Subcontractors with Access to Classified Information – Presidential Policy Directive 19, 50 U.S.C. § 3341(j)

PPD-19 applies to federal employees, contractors, or subcontractors who are eligible for access to classified information. It prohibits retaliation against employees for reporting waste, fraud, and abuse, and provides employees the right to request an external review by a three-member panel chaired by the Intelligence Community Inspector General. There is no statute of limitations for reporting retaliation under PPD-19.

LAWS

Inspector General Act (5 U.S.C. § 401, *et seq.*)

Whistleblower Protection Act of 1989 (5 U.S.C. § 2302)

Whistleblower Protection Enhancement Act of 2012 (Pub. L. 112-199)

National Defense Authorization Act for Fiscal Year 2013 (41 U.S.C. § 4712)

Military Whistleblower Protections Act (10 U.S.C. § 1034)

Presidential Policy Directive 19

WHISTLEBLOWER PROTECTION COORDINATOR

Section 403 of the Inspector General Act of 1978 created the role of the Whistleblower Protection Ombudsman, renamed the "Whistleblower Protection Coordinator" (WPC) by the Whistleblower Protection Coordination Act of 2018. The HHS WPC is responsible for educating HHS employees on statutes related to whistleblower rights and protections, and prohibitions against retaliation for disclosing wrongdoing.



The WPC is responsible for:

Educating HHS employees on their whistleblower protections.

Promoting the timely and appropriate handling and consideration of protected disclosures and allegations of reprisal.

Informing whistleblowers on the timeliness of reprisal complaints, alternative dispute resolution (ADR), and other avenues for relief.

Coordinating with HHS, CIGIE, Congress and others on issues related to reprisal complaint timeliness, the appropriate handling of whistleblower disclosures, and the implementation and administration of whistleblower protection laws, rules and regulations.

ADDITIONAL RESOURCES

HHS Hotline

OIG Hotline Operations accepts tips and complaints from all sources about potential fraud, waste, abuse, and mismanagement in HHS programs. Hotline tips are incredibly valuable, and we appreciate your efforts to help us stamp out fraud, waste, and abuse. Visit [TIPS.HHS.GOV](https://tips.hhs.gov).

WPC Program Web Page

Employees can contact the Coordinator at Whistleblower.Coordinator@oig.hhs.gov. Employees should know that the Coordinator is not permitted to act as a legal representative or advocate for employees or former employees, but can help explain the employees' options. [Learn more about the WPC.](#)

U.S. Office of Special Counsel

The U.S. Office of Special Counsel (OSC) is an independent federal investigative and prosecutorial agency, whose primary mission is to safeguard the process of promoting and hiring federal employees based on their ability to perform a job, by protecting federal employees and applicants from prohibited personnel practices, especially reprisal for whistleblowing. [Learn more about OSC.](#)