

# Policy

<b>DEPARTMENT:</b> Compliance	
<b>TITLE:</b> Standards of Conduct	<b>VERSION:</b> 3.0
<b>APPROVED BY:</b> Rich Gardner	<b>DATE:</b> 10/01/2018
<b>DEPENDENCIES:</b> N/A	

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## Purpose

The purpose of this policy is to describe the principles and values of PruittHealth Premier, as well as address expectations of conduct.

## Definitions, Abbreviations, and Acronyms

Acronym	Meaning
AAH	AllyAlign Health
CMS	Centers for Medicare and Medicaid Services
FWA	Fraud, Waste, and Abuse
HIPAA	Health Insurance Portability and Accountability Act of 1996
HITECH	Health Information Technology for Economic and Clinical Health

## Policy

### Introduction

PruittHealth Premier maintains certain policy and reference documents to guide its employees with respect to their day-to-day conduct and performance. The information addresses expectations of conduct in areas where improper activities could damage PruittHealth Premier’s reputation and otherwise result in serious adverse consequences to PruittHealth Premier and to the involved employees. This document represents PruittHealth Premier’s Standards of Conduct (hereafter referred to as “Standards”). These Standards describe the overarching principles and values of the organization. Compliance with these Standards is the responsibility of all PruittHealth Premier employees and business associates, as well as AllyAlign Health (AAH) employees and delegated entities performing services on behalf of PruittHealth Premier.

PruittHealth Premier expects all employees and business associates to conduct themselves in an ethical manner, and to report all instances of noncompliance and potential fraud, waste, and abuse (FWA) through appropriate mechanisms. These Standards identify how issues can be reported and that such reporting can be done anonymously and confidentially, and without fear of retaliation. Reported issues will be addressed and corrected in a timely manner. In addition, compliance and ethics are valued at the highest levels of authority within the organization.

As PruittHealth Premier continues to grow, and as federal and state laws change, the need may arise and PruittHealth Premier reserves the right to revise, supplement, or rescind any policies or portion of these Standards as it deems appropriate, in its sole and absolute discretion. Employees will be notified of changes to these Standards as they occur.

**As a condition of employment, all new employees shall attest that they have received and read all elements of these Standards within the first 90 days of hire, and that they will**

**comply with all of the elements in their day-to-day activities. Existing PruittHealth Premier employees shall attest at least annually.** Attestations will be retained for ten years.

An employee's actions under these Standards are significant indications of the individual's judgment and competence. Accordingly, those actions constitute an important element in the evaluation of the employee for position assignments and promotion. Correspondingly, insensitivity to or disregard of these Standards' principles will be grounds for appropriate management disciplinary action.

## Scope

These Standards apply to all PruittHealth Premier employees, members of the governing bodies and contractors (i.e., FDRs).

## Business Ethics and Conduct

The successful business operation and reputation of PruittHealth Premier is built upon the principles of fair dealing and ethical conduct of our employees. Our reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity. PruittHealth Premier's success is dependent upon our customers' trust, and we are dedicated to preserving that trust. Employees are expected to conduct themselves in a way that will merit the continued trust and confidence of our customers. PruittHealth Premier will comply with all applicable laws and regulations. As such, employees are expected to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct.

In general, the use of good judgment, based on high ethical principles, will guide each employee with respect to lines of acceptable conduct. If a situation arises in which it is difficult to determine the proper course of action, the matter should be discussed openly with the employee's immediate supervisor and, if necessary, with Compliance staff and/or Human Resources staff. Disregarding or failing to comply with this standard of business ethics and conduct could lead to disciplinary action, up to and including possible termination of employment.

## Conflict of Interest

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. These Standards establish the framework and general direction within which PruittHealth Premier wishes the business to operate. Where necessary, employees should seek further clarification on issues related to the subject of acceptable standards of operation. Contact the Compliance Program and/or Human Resources for more information or for any questions concerning conflicts of interest.

Transactions with outside firms must be conducted within a framework established and controlled by the executive level of PruittHealth Premier. Business dealings with outside firms should not result in unusual gains for those firms. Unusual gains refer to bribes, product bonuses, special fringe benefits, unusual price breaks, and other windfalls designed to ultimately benefit the employer, the employee, or both. An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of PruittHealth Premier's business dealings. For the purposes of these Standards, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if employees have any influence on transactions involving purchases, contracts, or leases, it is imperative they disclose any such relationships to PruittHealth Premier management as soon as possible so that safeguards can be established to protect all parties. Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which PruittHealth Premier does business, but also when an employee or relative receives any reward, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving PruittHealth Premier.

### **Prohibition of Improper Payments**

PruittHealth Premier expects all employees to use only legitimate practices in commercial operations and in promoting PruittHealth Premier's position on issues before governmental authorities. As stated below, "kickbacks" or "bribes" intended to induce or reward favorable buying decisions and governmental actions are unacceptable and prohibited.

No employee of PruittHealth Premier or any Network or Representative acting on PruittHealth Premier's behalf shall, in violation of any applicable law, offer or make directly or indirectly through any other person or firm any payment of anything of value (in the form of compensation, gift, contribution, or otherwise) to:

- Any person or firm employed by or acting for or on behalf of any customer, whether private or governmental, for the purpose of inducing or rewarding any favorable action by the customer in any commercial transaction; or any governmental entity, for the purpose of inducing or rewarding action (or withholding of action) by a governmental entity in any governmental matter;
- Any governmental official, political party or official of such party, or any candidate for political office, for the purpose of inducing or rewarding favorable action (or withholding of action) or the exercise of influence by such official, party or candidate in any commercial transaction or in any governmental matter.

In utilizing consultants, agents, sales representatives or others, PruittHealth Premier will employ only reputable, qualified individuals or firms under compensation arrangements,

which are reasonable in relation to the services performed. Consultants, agents, or representatives retained in relation to the provision of goods or services to the federal government must agree to comply with all laws, regulations, and PruittHealth Premier policies governing employee conduct.

The provisions of this section are not intended to apply to ordinary and reasonable business entertainment or gifts not of substantial value, customary in local business relationships and not contrary to the law as applied in that environment. Managers are expected to exercise sound discretion and control in authorizing such business entertainment and gifts.

When customer organizations, governmental agencies, or others have published policies intended to provide guidance with respect to acceptance of entertainment, gifts, or other business courtesies by their employees, such policies shall be respected.

### **Political Contributions**

PruittHealth Premier will not make any contribution to any political party or to any candidate for political office in support of such candidacy except as provided in these Standards and as permitted by law.

In the United States, federal law strictly controls corporate involvement in the federal political process. Generally, federal law provides that no corporation may contribute anything of value to any political party or candidate in connection with any federal election.

While similar laws apply in some states and their political subdivisions, in many jurisdictions in the United States, corporate contributions to candidates and political parties in connection with state and local election campaigns are lawful.

This policy is not intended to prevent the communication of PruittHealth Premier views to legislators, governmental agencies, or to the general public with respect to existing or proposed legislation or governmental policies or practices affecting business operations. Moreover, under these Standards, reasonable costs incurred by PruittHealth Premier to establish or administer political action committees or activities organized to solicit voluntary political contributions from individual employees are not regarded as contributions to political parties or candidates, where PruittHealth Premier may lawfully incur such costs.

### **Reporting Potential or Detected Noncompliance or Fraud, Waste, and Abuse**

PruittHealth Premier is committed to complying with all applicable laws, including but not limited to those addressing noncompliance and FWA. Employees and contractors are expected to immediately report any potential false, inaccurate, or questionable issues to their supervisors or the PruittHealth Premier Compliance Officer, or the AAH Compliance team in accordance with PruittHealth Premier's policies. Any employee who is requested to engage in any activity which is or may be contrary to the intent and spirit of these Standards must promptly report such information to his or her manager, or, if the employee was so directed by the manager, then to the PruittHealth Premier Compliance Officer.

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Likewise, any employee who acquires information that gives the employee reason to believe that any other employee is engaged in conduct forbidden by these Standards must promptly report such information to his or her manager or, if the manager is engaged in such conduct, then to the PruittHealth Premier Compliance Officer.

PruittHealth Premier employees can use the following information to submit questions or reports of suspected or detected noncompliance or potential FWA.

Methods for Reporting Potential and Detected Noncompliance and Fraud, Waste, and Abuse (FWA)	
<b>Anonymous Hotline</b>	1-844-317-9059
<b>Confidential E-mail</b>	<a href="mailto:compliance@pruitthealthpremier.com">compliance@pruitthealthpremier.com</a>
<b>Mailing Address</b>	Compliance Officer PruittHealth Premier P.O. Box 2190 Glen Allen, VA 23058-2190

The AAH Compliance team has an obligation to report all incidents of FWA reporting to the PruittHealth Premier Compliance Office as the incidents occur.

PruittHealth Premier does not tolerate fraudulent or other dishonest behavior and will take appropriate investigative and corrective action upon receiving such reports. PruittHealth Premier is prohibited by law from retaliating in any way against any employee or contractor who in good faith reports a perceived problem, concern, or issue involving noncompliance or FWA, and will not take punitive action against an employee who reports such information.

### Required Training and Education Activities

These Standards describe PruittHealth Premier’s expectation that all employees conduct themselves in an ethical manner. To assist employees with understanding potential issues and to comply with Centers for Medicare and Medicaid Services (CMS) requirements, certain training and education activities are required. The rest of this section discusses those activities.

#### *Fraud, Waste, and Abuse*

PruittHealth Premier is committed to the responsible stewardship of our resources, and maintaining a comprehensive plan for detecting, preventing, and correcting FWA. To that end, PruittHealth Premier encourages any individual who is aware of or suspects acts of FWA of PruittHealth Premier resources in any departmental area, by any provider, or with any entity that PruittHealth Premier contracts with, such as in the Medicare program, to report such acts to the PruittHealth Premier Compliance Officer and the AAH Compliance team.

All employees are required to complete the FWA training within 90 calendar days of the start of their employment. Employees are also required to complete the training at least once annually.

### **General Compliance**

General compliance training will address preventing, detecting, and correcting noncompliance issues, a description of the compliance program, and methods for reporting potential issues of noncompliance that ensure confidentiality and anonymity. Moreover, such training efforts will highlight that PruittHealth Premier adheres to a standard of non-retaliation for compliance-related questions or reports of potential noncompliance or FWA.

**In compliance with CMS requirements, all employees and governing body members must receive general compliance training within 90 days of initial hiring, and annually thereafter.**

### **Protecting Individual's Health Information**

The Health Insurance Portability and Accountability Act of 1996 (HIPAA) rules create a framework to protect the privacy and security of patients' and health plan members' health information. PruittHealth Premier supports the goals of HIPAA and documents its commitment to comply with these laws in *HIPAA Privacy and Security Plan* policy.

**All employees are required to complete the HIPAA and Health Information Technology for Economic and Clinical Health (HITECH) compliance courses on their first day of employment. Existing employees are also required to complete the training at least once annually.**

### **Violations of the Standards of Conduct**

Violations of these Standards are grounds for discharge or other disciplinary action, adapted to the circumstances of the particular violation and having as a primary objective furtherance of PruittHealth Premier's interest in preventing violations and making clear that violations are neither tolerated nor condoned.

Disciplinary action will be taken, not only against individuals who authorize or participate directly in a violation of these Standards, but also against:

- Any employee who may have deliberately failed to report a violation of these Standards;
- Any employee who may have deliberately withheld relevant and material information concerning a violation of these Standards; and
- The violator's managerial superiors, to the extent that the circumstances of the violation reflect inadequate leadership and lack of diligence.

**PruittHealth Premier Compliance Officer Contact Information**

<b>Compliance Officer</b>	Rich Gardner
<b>Phone</b>	1-678-533-6662
<b>Confidential E-mail</b>	<a href="mailto:compliance@pruithhealthpremier.com">compliance@pruithhealthpremier.com</a>
<b>Mailing Address</b>	Compliance Officer PruittHealth Premier P.O. Box 2190 Glen Allen, VA 23058-2190

## Attestation to Comply with Standards of Conduct

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I have received and read the PruittHealth Premier Standards of Conduct. I understand that it is my responsibility to comply with the Standards of Conduct and ALL PruittHealth Premier policies and procedures. I understand that I should consult with the Compliance Officer (Rich Gardner) regarding questions I have about the PruittHealth Premier Standards of Conduct, policies, and procedures.

I understand that there are additional PruittHealth Premier policies, procedures, and rules; and it is my responsibility to read and comply with ALL policies and revisions made to them.

Because the information within these policies may change, I acknowledge that revisions to policies may occur at any time, with or without prior notice, and in the sole discretion of PruittHealth Premier management. I understand that revised information may supersede, modify, or eliminate existing policies.

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Printed Name

Date

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Signature

Date

**Please provide a signed copy of this attestation to Rich Gardner at [rgardner@pruitthealth.com](mailto:rgardner@pruitthealth.com) and Kelley McKenzie at [kelley.mckenzie@allyalign.com](mailto:kelley.mckenzie@allyalign.com).**

## Change Log

Document Version	Major or Minor Revision?	Date	Name	Comments
1.0	New	11/30/2015	Eric Messick	Initial creation
2.0	Major	06/30/2016	Mark Sferlazza	Updated Compliance Officer and contact information
2.1	Minor	11/22/2016	Mark Sferlazza	Correct typos
2.2	Minor	04/17/2017	Lindsay C. Jimenez	Put into procedure template; reviewed, copyedited
3.0	Major	09/19/2018	Lindsay C. Jimenez	<p>Annual Review</p> <ul style="list-style-type: none"> <li>• Included harm to members as potential consequence of improper activities</li> <li>• Updated requirement to complete attestation of receipt of the Standards to 90 days to reflect the CMS requirement</li> <li>• Removed operational information of how attestations are completed as this information is more appropriately included in a policy or procedure document and may change throughout the year</li> <li>• Updated retention of attestations to 10 years to reflect CMS record retention requirement</li> <li>• Added governing body members and contractors to the scope</li> <li>• Updated potential perpetrators of FWA to include members and other individuals. Added definitions for FDRs.</li> </ul> <p>AAH P&amp;P Committee Approved: 08/03/2018</p> <p>Plan Compliance Officer Approved: Rich Gardner 10/01/2018</p>