



**2023/2024 CODE OF
CONDUCT AND ETHICS**

DOING THE RIGHT THING THE RIGHT WAY

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Introduction

AmeriHealth Caritas Family of Companies (the Company) maintains a Code of Conduct and Ethics (the Code) that governs the conduct of all associates; contractors; subcontractor-vendors; first-tier, downstream, and related entities (FDRs); and members of the Board(s) of Directors (collectively referred to herein as "Recipients"). The Code is made available to the recipients who are required to attest that they have read, understood, and will abide by the Code upon hire or engagement and annually thereafter. The Code provides a detailed framework for how those subject to it can adhere to the Compliance Program.

In reviewing and becoming familiar with this Code, all subject to it should keep in mind that ethical behavior and compliance with the law begin with these general principles:

- Honesty and integrity are expressed through truthfulness and freedom from deception or fraud. These qualities should remain constant in any situation.
- Books, records, and documents created and maintained for the Company's business must be accurate.
- Willingness to accept responsibility for one's own actions is not only valued, but essential.
- All associates subject to the Code have a responsibility to acquire knowledge, make sound decisions, and use the authority delegated to them only in the best interests of the Company.
- There should be no conflicts between attention to business and attention to ethics; together, they are essential to the Company's good corporate health.

All associates are expected to comply with this Code by respecting the principles and observing the rules of conduct described in this Code. Keep in mind that this Code is intended to establish and communicate general guidelines only. No Company policy, including this Code, can possibly anticipate or address appropriate procedures or behavior for every circumstance or situation that may arise. You should consult with your supervisor or manager if you are faced with a difficult situation, require advice, or have a question about this Code or any other Company policy. You may also speak to a Human Resources department representative; an attorney in the Company's Legal Affairs department; the Vice President and Chief Compliance and Privacy Officer; a local Compliance Officer; or an associate in the corporate or local Compliance department. The Compliance Hotline at **800-575-0417** may also be used to report your concerns anonymously.

Upon hire, and annually thereafter, all associates are provided the Code. As a condition of employment, each associate is required to read and understand the Code, sign its accompanying forms, and complete required training within the prescribed time frame. A failure by a Company associate to abide by any provision(s) of the Code may result in disciplinary action pursuant to the Company's Disciplinary Policy.

Nothing in this Code changes the at-will nature of any associate's employment with the Company.

Contractors; subcontractor-vendors; and first-tier, downstream, and related entities (FDRs) are similarly expected to comply with the Code as a condition of doing business with the Company. All FDRs subject to the Code are responsible for "doing the right thing the right way" and for fostering a corporate culture that values honesty, integrity, and high ethical standards.

Personal and business integrity

A. Accurate books, records, and documents

Collect, maintain, and report all Company information truthfully and accurately.

Good business practices and various laws require the Company to maintain truthful and accurate books, records, and documents. All associates subject to the Code are responsible for upholding the integrity and accuracy of the Company's records, which include associates' electronic time sheets.

To promote the integrity and accuracy of the Company's records:

- All books and records must be maintained in accordance with applicable laws, contracts, and Company policies.
- All entries into the Company's books and records must be promptly and accurately recorded and documented; associates must complete their electronic time sheets truthfully and accurately.
- Financial and operational data must be secured and protected from accidental destruction and maintained in accordance with the Company's record retention procedures.

B. Company systems, electronic mail, and the internet

Use the Company's systems, email, and the internet for legitimate business purposes.

The Company's systems, including internal electronic mail platforms and use of the internet through Company-issued devices, are considered to be Company property and are to be used in accordance with guidelines for the use of Company property and time (see *section F*). The Company's systems are business tools to be used for official Company business and in accordance with trade secrets, confidential information, and proprietary information guidelines (see *section S*). Under certain limited exceptions, some nonbusiness usage of Company systems may be allowable with management approval.

Such usage would be considered a privilege only, not a right, and must be exercised reasonably.

Those associates subject to the Code may not send through the Company's systems email containing material or language that may reasonably be considered offensive, discriminatory, or harassing to anyone. Anyone who generates or engages in the distribution of offensive, discriminatory, or harassing messages using the Company's systems is subject to disciplinary action up to and including termination of employment. If an associate receives email from another associate that is offensive, contains objectionable material or language, and/or is damaging to the Company, the associate is to report the message immediately to Human Resources, the Corporate Compliance department, or a member of management.

Without notice, the Company reserves the right to open, inspect, and have access to all activity through the Company's systems, and associates should have no expectation of privacy in same.

Integrity and accuracy of Company records are critical.

Those who generate offensive and/or disruptive email messages through the Company's systems are subject to disciplinary action.

C. Conflicts of interest

Avoid and report actual or potential conflicts of interest.

All parties who conduct business or activities on the Company's behalf must always act in the best interest of the Company and its members. Those subject to the Company's Code are required to make decisions based on what is best for the Company and not on how the decision or activity might affect their personal or financial interest. A conflict of interest may occur if activities, actions, or relationships, including outside activities and personal interests, influence or appear to influence an individual's ability to make objective job-related decisions. All parties subject to the Code must avoid actions and activities that may present a conflict of interest or a potential conflict of interest with the Company. Upon hire and annually, all subject to the Code are required to disclose any personal interest or involvement that might be an actual or potential conflict of interest with the Company in the Conflict of Interest Disclosure Statement. Those subject to the Code are also required to supplement their Conflict of Interest Disclosure Statement as conflicts or potential conflicts arise during the year.

All subject to the Code must also disclose family members' conflicts or potential conflicts of interest with the Company. Family members include any person who is related to an associate by blood or marriage, as well as any person living in the associate's household. In Company business dealings, associates may not substitute outside persons for family members in an attempt to circumvent the existence of a conflict.

Before engaging in any practice, activity, or action that is a conflict of interest or has the potential to be a conflict of interest, an associate must disclose the practice, activity, or action to their immediate supervisor or manager and complete supplemental conflict of interest form. Those subject to the Code cannot participate in outside activities, including the acceptance of outside or supplementary employment, that create a conflict of interest or a potential conflict of interest. Associates must seek approval from the Corporate Compliance department before engaging in outside activities that would create a conflict of interest. A supplemental Conflict of Interest form is available on Insight.

It is impossible to anticipate and describe every circumstance that might create a conflict of interest that requires disclosure. The following are illustrations of relationships and activities that may give rise to an actual or potential conflict of interest that should be reported:

- Have direct supervision of or responsibility for the performance evaluation, pay, or benefits of any close relative.
- Have the authority to make or influence company decisions affecting family members.
- Have a substantial financial interest in any Company that does business with AmeriHealth Caritas.
- Accept or give anything from or to a supplier, competitor, or customer with a cash value of or greater than \$75.
- Engage in any transaction with the Company, other than the associate's employment, in which they have a substantial financial interest.
- Are employed by or serve as a director, an advisor, a consultant, etc., of any customer, vendor, supplier, health care provider, or competitor.



All parties who conduct business or activities on the Company's behalf must always act in the best interest of the Company and its members.

- Are involved in any outside activity, including board memberships, that is so substantial that it may interfere with or impact job responsibilities.
- Misuse the associate's position in a way that results in personal gain.

D. Data security and control

Appropriately use and safeguard Company data.

Associates are only permitted to use and disclose data created, received, or maintained by or on behalf of the company in paper or electronic form for business purposes, as authorized by the company. Associates are authorized to access only that company data necessary for them to carry out their respective job functions; company data may only be accessed through an individual's username and password. Unauthorized access, modification, destruction, use or disclosure of company data for personal business, or other purposes not authorized by the company is prohibited. Those subject to the Code may use only their assigned username and password to access Company systems. No individual, under any circumstance, may grant another individual permission to use their username or password.

Any associate who uses the Company's information systems or its data in any way is considered a user. Users must protect the security of the Company's information systems and data by using them only as they are authorized to do so. All users must protect Company data using available system access and security controls, such as pressing **Ctrl-Alt-Del** and locking the PC when walking away from a logged-in PC.

E. Gifts, entertainment, and honoraria

Do not accept, solicit, or give any gift, entertainment, or honorarium that is intended or may appear to influence business decisions.

Those subject to the Code must have high ethical standards of behavior in dealing with providers, customers, vendors, and others with whom the Company does business and thus may not accept, solicit, or give on behalf of themselves or the Company any gift (including cash or cash equivalents), entertainment, honorarium, favor, loan, or service, except if they are of nominal or insignificant value. Associates subject to the Code may not accept, solicit, or give any gift, entertainment, honorarium, favor, loan, or service (regardless of the value) that is offered with the intent to improperly influence the execution of their responsibilities to the Company. When conducting business for or on behalf of the Company, those subject to the Code may never accept cash, checks, or money orders in their names from any outside Company.

Associates subject to the Code may accept routine promotional or advertising items of nominal value (such as pens, paperweights, and t-shirts) that are not related to a particular transaction. No individual subject to the Code may accept anything with a cash value of greater than \$75 from a provider, customer, vendor, or those with whom the Company does business.

While they are acting within the scope of their Company duties and responsibilities, associates subject to the Code cannot receive compensation, direct or indirect, for participation in outside activities. Outside activities may include but are not limited to speaking engagements,

You may use only your assigned username and password to access Company systems. Do not, under any circumstance, share your username or password with others.

Those subject to the Code must not accept or give gifts that may improperly influence business decisions.

attending conferences or seminars, consulting, participating in advisory groups, clinical practice, or similar work. This provision does not prohibit an individual subject to the Code from working for another employer so long as the nature of that employer's business or the individual's employment does not interfere with the individual's performance at the Company and there has been a determination that the employment is not a conflict of interest through the process listed in Section C, Conflict of Interest. If an individual has a question regarding the acceptance or provision of a gift, honorarium, or entertainment, they should discuss it with their immediate supervisor or manager and/or the VP and Chief Compliance and Privacy Officer. If an individual is ever offered a gift in violation of Company policy, they should refuse it and inform their supervisor or manager immediately.

F. Use of Company property and time

Use Company property and time for Company business.

Company time and Company property are for use in conducting Company business. Limited nonbusiness use of Company property as necessary is allowable with written management approval, but it should be the exception and not the rule.

The term "Company property" includes Company time and all physical items and electronic systems in the workplace or provided by the Company, including but not limited to computers, hardware, software, networks, file servers, online computer services for which the Company maintains accounts, email, interoffice mail, photocopy machines, desk phones, cell phones, personal assistance devices, desks, and filing cabinets.

The company reserves the right to open, inspect, and have access to all company property, regardless of location and individuals should have no expectation of privacy in same. Associates are not permitted to misuse, mishandle or misappropriate any company property.

The company expects that during working hours, you are performing work for the company and not engaged in personal matters or other business.

Complying with laws, rules, and regulations

G. Antitrust

Do not engage in anticompetitive activities or unfair business practices.

All subject to the Code conducting business on behalf of the Company must comply with antitrust laws. Antitrust laws promote equal and fair business competition and prohibit competitors from engaging in certain inappropriate coordinated activities. Violations of antitrust laws can result in personal and corporate criminal liability and prosecution, substantial civil fines, and other legal orders.

Those subject to the Code must contact the Legal Affairs department whenever they encounter any of the following, which may be indicative of anticompetitive activities, unfair business practices, or antitrust issues:

- Agreements with competitors. The Company may not agree with competitors on prices they will charge for products or services, provider payment rates, territories for sales, or contract terms and conditions.

**Be good stewards
of Company property
and time.**

**The Legal Affairs
department is a resource
to answer your questions
concerning competitors
or antitrust issues.**

- Tying arrangements. Antitrust laws prevent tying arrangements. Tying arrangements exist when the sale of goods or services is conditioned on the purchase of some other, unrelated good or service.
- Selection of customers and vendors. The Company is free to select its own customers and vendors as long as this selection is done alone and not in conjunction with other companies. Agreements between two or more companies to engage (or not engage) in business with a third Company may be in violation of the antitrust laws.
- Fairness in the marketplace. The Company cannot unfairly take advantage of its position in the marketplace by using unlawful means to protect its position while disadvantaging its competitors' ability to compete.
- Fair dealing. The Company should deal fairly with customers, suppliers, and contractors. Manipulation, concealment, abuse of privileged information, misrepresentation of material factors, and any unfair-dealing practice are prohibited.

H. Compliance with Company policies

Comply with all Company policies, procedures, and guidelines.

The Company develops and implements policies, standards, procedures and guidelines that govern its business operations. Company policies allow the Company to operate in an effective and efficient manner and to establish expectations of those subject to the Code.

Some Company policies are implemented enterprise-wide and apply to all subject to the Code. Other policies provide guidance on specific topics relating to processes in certain functional areas and may only pertain to certain departments or individuals. All subject to the Code are required to comply with all Company policies that apply to them.

Policy information can be obtained from a variety of resources, including but not limited to other sections of the Code; the Associate Guidebook; the Company's intranet site; an associate's supervisor or manager; a Human Resources representative; a local Compliance Officer; and the VP and Chief Compliance and Privacy Officer.

Company policies are subject to review and revision from time to time. Those subject to the Code should always reference, access, review, and rely on the most current versions of applicable company policies.

I. Diversity and equal employment opportunity

Enhance the Company's work environment by fostering diversity and equal employment opportunity.

The Company fosters an environment that values the understanding, inclusiveness, and respect of all associates. It is the Company's policy to comply with all applicable laws that prohibit discrimination based on race; color; religion; sex; age; national origin; ancestry; nationality; citizenship; alienage; marital, domestic partnership, or civil union status; affectional or sexual orientation; physical ability; pregnancy (including childbirth, lactation, and related medical conditions); cognitive, sensory, or mental disability; HIV status; military or veteran status; whistleblower status (when applicable under federal or state law depending on the locality and

Those subject to the Code are required to comply with the most current Company policies.

The Company's diversity and equal employment opportunity policies foster understanding, inclusiveness, and respect of all associates.

circumstances); gender identity and/or expression; genetic information (including the refusal to submit to genetic testing); or any other category protected by federal, state, or local laws. All such discrimination is unlawful and inappropriate. The Company and all subject to the Code are prohibited from engaging in unlawful discrimination.

The Company also complies with federal, state, and local disability anti-discrimination and accommodation laws and will make reasonable accommodations, as required by law, for qualified associates with a disability so that they can perform the essential functions of a job.

The Company prohibits any and all retaliation against those who report unlawful discrimination or cooperate in investigations.

All subject to the Code must act in accordance with the Company's diversity and equal employment opportunity policies which are described in the Associate Guidebook.

J. Providing access to appropriate services for members

All decisions on health care services for members must be based on appropriateness of care.

The Company and those subject to the Code are required and committed to using resources wisely to provide members with access to the best care possible.

This responsibility includes but is not limited to an ongoing monitoring of processes to identify overutilization and underutilization of services and abuse of services. The Company and those subject to the Code are required to develop and implement solutions to service problems whenever they arise.

The Company's commitment to providing members with access to quality health care services requires that:

- Utilization management (UM) decisions are based only on appropriateness of care and service and existence of coverage.
- Providers, associates, or other associates conducting utilization reviews are not rewarded by the Company for issuing denials of coverage or service.
- Financial incentives for UM decision makers do not encourage decisions that result in underutilization.

The Company will not prohibit or otherwise restrict a health care professional acting within the lawful scope of practice from advising or advocating on behalf of a member who is their patient for:

- The member's health status, medical care, or treatment options, including any alternative treatment that may be self-administered
- Any information the member needs to decide among all relevant treatment options
- The risks, benefits, and consequences of treatment and non-treatment
- The member's right to participate in decisions regarding their health care, including the right to refuse treatment, and to express preferences about future treatment decisions



K. Fraud and abuse

Understand and comply with fraud and abuse laws.

Federal and state laws prohibit the submission of false statements and/or claims to Medicaid- or Medicare-funded programs. False statements and claims include but are not limited to:

- Billing unnecessary services
- Billing services not performed

Violations of the False Claims Act occur when one knowingly submits a false or fraudulent claim to the government for payment or approval. The False Claims Act also prohibits knowingly making or using a false record or statement to get a false or fraudulent claim paid or approved. Knowingly and willfully offering or making, soliciting, or accepting anything of value in return for referral of a patient whose services are reimbursable by Medicaid or Medicare constitutes a violation of the Anti-Kickback Statute.

Penalties for violating the False Claims Act may include a \$13,508 to \$27,018 fine per false claim (as last adjusted by the Department of Justice in 2023) and/or imprisonment. Violators of the Anti-Kickback Statute may face severe penalties, including possible imprisonment of up to 10 years and/or fines of up to \$100,000. Violations of fraud and abuse laws may result in an individual's or the Company's exclusion from participation in Medicaid or Medicare programs. Those subject to the Code may not engage in any conduct that violates state or federal fraud and abuse laws.

By offering certain whistleblower provisions and protections, the federal and state False Claims Acts encourage associates to report misconduct involving false claims to the government. The whistleblower provisions allow associates with actual knowledge of allegedly false claims made to the government to file a lawsuit on behalf of the government and to share in any monies recovered. Whistleblowers who report false claims to the government or cooperate in investigations are also entitled to protection from retaliation.

The Company is committed to detecting, correcting, reporting, and preventing fraud, waste, and abuse. If an individual suspects fraud, waste, or abuse by providers, members, associates, or the Company, they should contact the Special Investigations Unit at **866-833-9718** or by using the Fraud Investigations Tip Form located on the intranet. Questions about what may constitute fraud, waste, or abuse should be directed to Legal Affairs or Compliance. Retaliation against an individual for making a complaint or participating in the investigation of a complaint in good faith is against the law and will not be tolerated by the Company.

L. Government investigations

Cooperate with government investigations.

Company policy requires that the Company and all who are subject to



**Report suspected fraud
or abuse to the Special
Investigations Unit at
866-833-9718.**

Note: Inflation adjustment made for 2023 using FY 2023 Multiplier: 1.07745.

Source: <https://www.federalregister.gov/documents/2023/01/11/2023-00353/department-of-state-2023-civil-monetary-penalties-inflationary-adjustment>

the Code cooperate fully with any government investigations. Associates subject to the Code should immediately contact the Company's Legal Affairs department if they learn of a government investigation or inquiry.

All associates subject to the Code must never:

- Destroy or alter Company documents, out of compliance with our records retention policy, especially in anticipation of a request for those documents from a government agency or court.
- Lie or make misleading statements to government investigators during any investigation.
- Pressure anyone to hide information from or provide false or misleading information to government investigators.

It is paramount to properly handle government investigations, and virtually all laws regulating the Company's business contain criminal and civil penalties. These penalties can be assessed against the Company and those subject to the Code for violations of these laws.

In some government investigations, the Company's lawyers can protect the interests of both the Company and its associates. In other cases there may be one or more conflicts of interest between the Company and individual associates, resulting in associates needing to obtain their own legal counsel. Associates may consult with an attorney in the Company's Legal Affairs department for guidance as to whether individual legal counsel should be retained.

During the course of a government investigation, the Company and those subject to the Code have the right to be represented by legal counsel at all times, including during and after business hours and on or off Company property. Those who are subject to the Code may also ask government investigators for time to consult with legal counsel before answering questions.

M. Health Insurance Portability and Accountability Act (HIPAA)

The company has implemented policies and procedures regarding the use and disclosure of protected health information (PHI) designed to comply with applicable federal and state laws, namely the privacy and security regulations issued pursuant to the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the Health Information Technology for Economic and Clinical Health Act (HITECH Act), and other applicable state and federal laws and regulations governing the confidentiality and disclosure of member health information and other personally-identifiable information (PII), such as provider's PII used for credentialing.

The company and those who are subject to the Code must comply with these federal privacy and security regulations regarding PHI and other PII.

The HIPAA and HITECH privacy and security regulations affect how we handle data and systems containing PHI. The company is committed to safeguarding PHI, other PII. Those individuals subject to the Code must appropriately handle and protect all PHI and other PII.

The HIPAA and HITECH regulations and other applicable law require notifications of breaches of unsecured PHI and/or other PII. All subject to the Code are responsible to watch for unauthorized use or disclosure



Contact the Legal Affairs department if you learn of a government investigation or inquiry.

All subject to the Code must appropriately handle and protect all PHI and e-PHI. Report suspected privacy and security breaches.

of PHI and other PII, to act to prevent such unauthorized activity, and to report suspected breaches of privacy and/or security to their supervisor or manager or the company's Privacy Officer.

Some actions you can take to safeguard PHI and other PII include, but are not limited to:

- Accessing PHI and other PII only when you need to perform your specific job function. (Do not access the PHI or other PII of family, friends, or high-profile individuals simply out of curiosity.)
- Conducting conversations concerning claims or other PHI in a way that reduces the likelihood of the conversations being overheard by others.
- Using only approved printers and fax machines that are located in our designated secure areas, so only authorized individuals have access to printed and transmitted documents.
- Placing claims and other documents containing PHI or other PII face down, so unauthorized individuals cannot see them.
- Positioning computer screens so only authorized individuals can view them.
- Properly securing PHI and other PII at all times.
- Shredding paper documents containing PHI or other PII when they are no longer needed, in compliance with the company's record retention policy.
- Typing #secure in the subject line of any email that contains confidential information, including PHI or other PII.
- Sending confidential and sensitive data to external third parties only when appropriate contractual documentation is in place and only by using secure transmission protocols as appropriate (e.g., Sterling File Gateway [SFG] and Secure File Transfer Protocol [SFTP]).
- Using, requesting, and/or disclosing to others only the amount of PHI and other PII that is minimally necessary

N. Political activity

Avoid improper or inappropriate political activities.

Federal, state, and local laws and regulations generally restrict the use of corporate resources in connection with federal, state and local elections. Those subject to the Code may not make political contributions on behalf of the Company. The Company cannot reimburse any individual for any expense that is even remotely connected with political fundraising. In general, the cost of fundraising tickets for political functions is considered a political contribution and would not be allowable on an expense report. For additional restrictions related to political activities, please see the Company's political activity policy.

No individual subject to the Code may use the influence of their position to persuade another individual to work for a candidate, political organization, or issue or to make personal contributions to a party or candidate. You are encouraged to vote and to be personally active in the political process. Associates may make private or personal contributions directly to a political



Political activity, including campaigning and fundraising, must not occur on Company time or property.

candidate, party, or political action committee after obtaining the necessary approvals in accordance with the Company's political activity policy.

Occasionally, the Company engages in member advocacy efforts that may involve the political arena. Associates will not be favored or penalized for their participation in or refusal to participate in these legal political advocacy activities.

O. Prohibition against harassment

Provide a workplace free of harassment.

It is the policy of the Company to provide a work environment that is free of all forms of unlawful discrimination and conduct that may be considered harassing, coercive, or disruptive, including sexual harassment. Harassment based on race, gender, religion, age, national origin, marital status, sexual orientation, or disability, among others, may be a form of discrimination prohibited by federal, state, and/or local laws. All associates subject to the Code are responsible for conducting themselves in the workplace in a manner that is free from harassment. Harassment is not tolerated, and violators are subject to disciplinary action, up to and including termination of employment.

Examples of prohibited harassment include but are not limited to:

- Visual conduct that includes leering, making sexual gestures, or displaying sexually suggestive objects, pictures, messages, cartoons, or posters
- Verbal conduct that includes making or using derogatory comments, epithets, slurs, or jokes
- Physical conduct that includes touching, assaulting, or impeding or blocking movements

If an individual experiences or witnesses sexual or unlawful harassment at work, the associate should report it immediately to their supervisor. If the supervisor is unavailable or if the associate is uncomfortable reporting or discussing the issue with the immediate supervisor, the associate should immediately contact an Associate Relations Manager and/or Compliance Officer. Associates can also call the Compliance Hotline at **800-575-0417**.

Retaliation against an individual for making a good-faith complaint or participating in the investigation of a complaint is against the law and will not be tolerated by the Company.

P. Relationships with government associates

Do not attempt to influence government officials by offering them gifts or gratuities.

Federal and state laws make it illegal to give anything, including donations, gifts, and gratuities, to government officials or government associates in return for their job-related direct or indirect influence or action. It is illegal to reward government officials and government associates, directly or indirectly, for their influence or actions. Violations can result in severe fines and/or imprisonment.

In some cases, the law does allow government officials or government

Harassment is not tolerated. Promptly report suspected harassment.

associates to accept items of nominal value if the items are not intended to influence government actions. Associates must obtain written approval from the Government and External Affairs department prior to providing any gift related to Company business to a public official.

Resources for guidance and reporting violations

Q. Software licensing and registration

Abide by all computer software licensing requirements.

Software licensing, registration, and installation are controlled by the copyright owners. Rights controlling use of the software are detailed in a license agreement accompanying the software.

Use of any Company software must be in accordance with the following procedures:

- Installation of software or upgrades of existing Company software must be coordinated through the Information Solutions department.
- Those subject to the Code may not install, modify, or uninstall software on any Company computer, laptop, or device.
- Company software used on Company computers may not be used on more computers than allowed by license agreements.

R. Substance use and abuse

Keep the workplace free from substance use.

The Company is committed to maintaining a drug- and alcohol-free workplace. The use, sale, purchase, possession, or distribution of illegal drugs, including the use or possession of illicit drugs, the abuse of legal drugs, and the possession, use, or sale of alcohol or other intoxicating substances while on Company property are prohibited.

All subject to the Code must be fit for duty and must not be impaired. Failure to comply with the Company's substance use policy may result in immediate termination. If there is a suspicion of or reasonable cause to suspect an individual of being under the influence of drugs and/or alcohol, the individual will be subject to questioning and search without notice. If there is a suspicion that illegal drugs are being sold, bought, possessed, used, or distributed on Company property or during the course of Company business, the Company may inform the appropriate law enforcement officials.

At any time during employment, associates who are found guilty or plead guilty or nolo contendere to drug-related offenses are required to report that information to Human Resources. Associates who are charged with drug-related offenses are required to notify Human Resources if being charged impacts any required licensure or otherwise impacts their ability to perform work duties.

S. Trade secrets, confidential information, and proprietary information

Safeguard trade secrets and confidential and proprietary information.

"Trade secrets" generally are plans; processes; and any information known

Report all gifts given to government officials and government associates.

Use of Company software must not infringe on copyrights or licenses.

All subject to the Code must comply with the Company's substance use policy.

only to the Company, and not to the public, on which the goodwill, welfare, and competitive ability of the Company or its customers depend. Examples of these secrets may include information regarding business plans and marketing strategies.

“Confidential information” generally is information that the Company and/or its customers consider and treat as private and is not common knowledge to other persons or organizations. Confidential information may include member claims, medical and personal information (including personally identifiable information and PHI), and confidential information pertaining to the business of the Company and/or its customers.

“Proprietary information” generally is information to which the Company and/or its customers have an exclusive right. This information can include information that the Company or its customers own, develop, pay another person or organization to develop, and/or possess. This may include confidential and/or proprietary plans, health service programs, formulae, methods, and other products and information relating to the business services and activities of the Company and/or its customers.

Trade secrets, confidential information, and proprietary information include but are not limited to the following:

- Accounting, billing, and payroll information, and data reports and statistics regarding the Company and its associates, members, and/or customers
- Financial information regarding the Company, its members, providers, customers, vendors, and/or contractors, including but not limited to contract rates and fees
- Information that the Company is required by law, regulation, agreement, or policy to maintain as confidential
- Medical* or personal information (including PHI) pertaining to members or associates of the Company, its customers and/or its customers’ members
- Credentialing information pertaining to providers who serve our plan members

All subject to the Code with access to any trade secrets, confidential information, and/or proprietary information must handle the information in accordance with federal and state statutes and regulations and the Company’s confidentiality and privacy policies. These restrictions apply to any form of this type of information, whether written, electronic, or verbal.

* State and federal laws impose specific, detailed confidentiality requirements on information connected with conditions that include but are not limited to behavioral health, substance use, and HIV/AIDS-related conditions. Associates with questions about the Company’s policy in this area should contact the Legal Affairs department or the Corporate Privacy department.



Trade secrets, confidential information, and proprietary information must be handled in accordance with federal and state statutes and the Company’s confidentiality and privacy policies.

T. Application and audit of the Code

Participate fully in the monitoring of the Code.

In accordance with this Code, the VP and Chief Compliance and Privacy Officer is responsible for maintaining a complete record of all inquiries and investigations. Compliance with the Code is monitored through audits and investigations conducted by corporate and local Compliance departments and/or the corporate Audit department. All associates subject to the Code are required to cooperate fully with compliance audits and investigations and to provide truthful and accurate information.

Each year, associates subject to it are provided the Code. As a condition of continued employment and contractual obligation, each individual subject to the Code is required to read and understand the Code, sign its accompanying forms, and complete required training within the prescribed time frame. These trainings include but may not be limited to Compliance; Privacy/HIPAA; Fraud, Waste, and Abuse (which includes training on state and federal False Claims Acts and the Deficit Reduction Act of 2005); and Security trainings. Adherence to and support of this Code are considered in decisions regarding hire, promotion, compensation, and contractual obligation.

U. Compliance communications – the Hotline and the intranet

Use the Hotline and/or intranet to communicate compliance and privacy questions and issues.

The Company's Compliance department maintains a toll-free Corporate Compliance Hotline. The Hotline acts as a confidential resource for associates to report violations, make suggestions, ask questions, and identify tips that may help improve and strengthen the Corporate Compliance Program. All are encouraged to call the Compliance Hotline at **800-575-0417**. In addition to the Hotline, the Corporate Compliance department maintains a site on the intranet, which contains an electronic messaging center that acts as a confidential means for reporting suspected or known violations and for making suggestions.

Individuals calling the Hotline or leaving a message via the Compliance department's intranet page may do so anonymously or may choose to identify themselves. Associates are encouraged to provide their name and extension so the Corporate Compliance department can contact them should additional information be required. Corporate Compliance makes every effort to maintain the confidentiality of associates to the extent possible. The Company will not tolerate acts of retaliation against any individual who makes a good-faith report of known or suspected ethical or legal misconduct. Associates may not deliberately make a false report of misconduct.

V. Violations of the Code

Report violations of the Code.

Those subject to the Code are required to report any violation of the Code to the attention of a supervisor or manager, a Human Resources department representative, an attorney in the Company's Legal Affairs department, the corporate or local Compliance Officer, or a representative of the corporate or local Compliance department. In addition, associates are always free to make a report via the Compliance Hotline at **800-575-0417** or via the Corporate Compliance Intake Form, which can be found on the Company's intranet site.

Compliance audits and investigations are necessary; you are required to cooperate fully.

The Company will not tolerate acts of retaliation against an individual who makes a good-faith report of misconduct.

All associates subject to the Code are required to report any potential violations of the Code.

Reports of potential violations made in good faith will not subject an individual to retaliation. If an individual wishes to remain anonymous, the Company will make every effort to maintain the confidentiality of their identity within the limits of applicable laws. The Company will also make every effort to protect the rights of any associates accused of violating the Code. Any individual who deliberately makes a false accusation with the intention of harming or retaliating against another individual or the Company will be subject to disciplinary action, up to and including termination of employment.

Associates who violate the Code, including by failing to report suspected violations, may be subject to disciplinary action, up to and including termination of employment. The Company may also have an obligation to contact the appropriate law enforcement authorities since certain violations may also violate federal or state laws.

Code Examples

Section	Example	Answer
A. Accurate books, records, and documents	Mark received a call from a provider asking him to change a procedure Code on an already submitted claim. Mark decides to honor the request. Do Mark's actions violate the Code?	Yes. Mark is knowingly falsifying Company records, and that is against Company policy. In addition, he may be violating the Company's policy by not having the provider follow the Company's preapproved protocols.
B. Company systems, electronic mail, and the internet	Clara's church group forwarded her a religious chain letter, asking her to forward the message to 10 of her closest friends. Clara forwarded the email to 10 friends at work. By sending this email, is Clara violating the Code?	Yes. Using the Company's email system for chain letters and other nonbusiness purposes is prohibited.
C. Conflicts of interest	Samantha is a Human Resources recruiter. Her brother has applied to work for the Company. Can Samantha participate in her brother's hiring process?	No. All associates who may be subject to the Code must avoid actions that may present a conflict of interest.
D. Data security and control	Albert granted a vendor use of a Company laptop to download software for a demonstration. Albert allowed the vendor to use Albert's username and password. Are Albert's actions permissible under the Code?	No. The Code prohibits associates from sharing their logins and passwords. Additionally, associates are not permitted to install or let other unauthorized personnel install any software on Company computers.
E. Gifts, entertainment, and honoraria	A vendor who wants to sell the Company office supplies offers Ann in Corporate Sourcing courtside tickets to the Sixers against the Heat, which Ann accepts to take a friend to the game. Should she have accepted the tickets?	No. Associates who are subject to the Code may not accept gifts related to business unless they are of nominal or insignificant value. Additionally, these gifts may influence business decision-making.
F. Use of Company property and time	Patty made copies of a flier she created for her church using one of the Company's photocopy machines. Is such action compliant with the Code?	No. Company property is to be used for Company business. Nonbusiness usage of Company property is only allowable with management approval under certain limited exceptions.

Section	Example	Answer
G. Antitrust	Karl is a Human Resources director at a direct competitor Company. Karl urges Valerie to terminate our Company's contract with a temp agency and to work with his Company to find a new temp agency for both plans. Is Valerie in compliance with the Code if she follows Karl's suggestion?	No. This action may be in violation of antitrust laws.
H. Compliance with Company policies	Max, a Director in Operations, is offered a gift from a subcontractor. Max knows there is a policy on accepting gifts but isn't sure of the gift amount he is able to accept. Max accepts the gift without checking the policy, and it is over the amount the policy allows. Should Max have been aware of the policy?	Yes. All associates subject to the Code are required to educate themselves about policies and to comply with the most current applicable Company policies.
I. Diversity and equal employment opportunity	Rachel, who is pregnant, is applying for a job in the Legal Affairs department. During her interview, the hiring manager asked her when she is having the baby. Could the manager's question be seen as discriminatory?	Yes. The question could be viewed as a tool to "screen out" a candidate based on gender and/or medical condition, a potential violation of law such as the Civil Rights Act.
J. Fostering appropriate services for members	Suzy, a case manager, has been approving several kinds of home care services without a physician's request for these services. Is this appropriate?	No. Decisions about health care services must be based on the medical appropriateness of those services. That would typically mean the doctor would request what they considered to be medically necessary, and the Company would review the request.
K. Fraud and abuse	Zina's college friend is a dentist who cleans her teeth and provides dental care to Zina at no cost. Zina, who processes the dentist's claims at work, does not validate the dentist's Medicaid claims as she does for the other dentists. Is this appropriate?	No. Zina should validate the claims even though she is not knowingly submitting false claims, and the free dental service from her friend could be considered a kickback for services.

Section	Example	Answer
L. Government investigations	Ben was in the midst of a government audit of claims for the past year; he was reluctant to produce claims from his department that weren't fully documented but not necessarily fraudulent. He eventually provided the claims to the government investigators. Were Ben's actions consistent with the Code?	Yes. Ben did the right thing by giving the investigators the claims even if there were some clerical errors in the claims.
M. Health Insurance Portability and Accountability Act (HIPAA)	While examining a claim on his computer screen, Kurt received a call from his supervisor to go to a meeting to defuse an issue. Kurt jumped out of his seat and hurried to the meeting without locking his screen. What did he do wrong?	Despite the urgency of the issue, Kurt should have taken the time to lock his screen on his keyboard and protect PHI that was viewable on his computer screen.
N. Political activity	Marisol is a socially conscious associate who felt that one candidate for state senator backed state programs that would disrupt racial integrity. Her fervor drove her to send an email to a work distribution list asking for volunteers to support the opposing candidate. Are Marisol's actions against Company policy?	Yes. Marisol can be politically active outside of work, but she must not try to influence associates while at work and should consult the Company's political activity policy.
O. Prohibition against harassment	Keith emails Sara, asking her to go out with him. Sara declines. Keith sends another email asking her to go out. Sara declines again. Keith comes to Sara's cubicle to ask her out in person. How should Sara handle this situation?	Once Sara reports harassment to her supervisor or manager, Human Resources, Compliance, or Legal Affairs, an investigation into Keith's actions will take place.
P. Relationships with government associates	Frank is responsible for sending monthly reports to the state. Frank asks his contact person at the state for an extension. At the same time, Frank decides to offer him two sports club box tickets. Do Frank's actions comply with the Code?	No. By offering these tickets, Frank is attempting or at least appearing to attempt to improperly influence a state associate.
Q. Software licensing and registration	David copies the software he uses at work and downloads it onto his home computer. Do David's actions comply with the Code?	No. Associates are not allowed to copy Company-owned software without permission of the Service Desk. By copying the software to his home computer, David is putting the Company at risk of violating its license agreement with the software vendor.

Section	Example	Answer
R. Substance use and abuse	Monica offers Erik prescription painkillers to alleviate his back pain. Erik takes the painkillers throughout the workday. Are Erik's actions compliant with the Code?	No. It is illegal and against Company policy for Monica to offer painkillers to Erik and for him to use prescription drugs not prescribed for him.
S. Trade secrets, confidential, and proprietary information	Lisa becomes aware of a new marketing plan aimed at regaining members who switched to a competitor plan. Lisa's friend who works for the competitor might lose her job if their membership drops. Lisa wants to discuss the marketing plan with her friend. Can Lisa share the marketing plan with her friend?	No. The marketing plan is considered confidential information of the Company. Disclosing Company confidential information is a violation of the Code.
T. Application and audit of the Code	After Rachel submitted her forms to Corporate Compliance, she became involved in a business venture that may be a conflict of interest. Rachel feels that she can wait to report this on next year's forms. Does Rachel have a duty to report the venture this year?	Yes. Throughout the year, as conflicts arise, associates are required to complete a Supplemental Conflict of Interest Form and submit it to the Corporate Compliance department.
U. Compliance communications – the Hotline and the intranet	John witnessed Barbara altering a government report. John thinks this was a very serious matter. What are John's options to report the incident?	John must report the incident. He could call the Compliance Hotline or complete the Corporate Compliance Intake Form located on Insight. John could also speak to a supervisor or manager, a Human Resources department representative, an attorney in the Company's Legal Affairs department, the corporate or local Compliance Officer, or a representative of the local or Corporate Compliance department.
V. Violations of the Code of Conduct and Ethics	Randy has noticed that a co-worker is in violation of the Company's Code of Conduct and Ethics. Does Randy have obligations under the Code?	Yes. Randy is required to report any violation of the Code to a supervisor or manager, a Human Resources department manager, an attorney in the Company's Legal Affairs department, the corporate or local Compliance Officer, or a representative of the local or Corporate Compliance department.