



Elwyn

Code of Conduct

OUR MISSION

Elwyn makes life better for people with developmental and behavioral health challenges.

OUR VISION

Elwyn will invest in unrivaled excellence, enduring engagement, and compassionate care to shape a world in which people with developmental and behavioral health challenges experience equity, opportunity, and happiness.

OUR CODE

Our Code is designed to help us each make good decisions which support the mission and vision. Everyone is expected to be honest and act with integrity so that Elwyn maintains its reputation as a trusted provider of health and human services.



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Expectations and Responsibilities

Everyone—whether you're an employee, contractor, or volunteer—is an important part of the Elwyn workforce.

The Code of Conduct (the Code) is a vital part of our Compliance Program and represents Elwyn's commitment to transparency, fairness, and integrity in every aspect of our operations. This Code of Conduct applies to everyone, regardless of your role in the organization and regardless of the settings in which you work.

The Code is here to help you make the best decisions and act in ways that reflect our values. Elwyn makes life better for people with developmental and behavioral health challenges. It's important for everyone to know these standards and be aware of situations that might not align with them.

We all need to follow federal, state, and local laws. If you see or think you see something that goes against our Code or violates specific program standards, please report it to your supervisor, the Corporate Compliance Officer, or use the Corporate Compliance Hotline.

Elwyn believes in honesty and integrity in its business practices, and requires that everyone treat each other with respect. There is zero tolerance for neglect and abuse of the individuals we serve. We also follow important laws like Family Educational Rights and Privacy Act (FERPA), Health Insurance Portability and Accountability Act (HIPAA), Medicare and Medicaid. Accurate documentation to bill for the services that we provide is crucial.

Elwyn will provide education and training on these standards and laws, so that together, we can create a positive and safe environment for you, the clients we serve and everyone within the Elwyn community.

Even with training, no member of the workforce is expected to be an expert in every law and policy. You should understand the requirements that apply to your role and seek advice from a supervisor or the Corporate Compliance Officer whenever you face an issue or dilemma where the answer isn't clear or easy.

Elwyn has established a Corporate Compliance Hotline (1-877-837-4250 or www.ethicspoint.com), a convenient and anonymous resource for anyone in the Elwyn community to report matters that may present issues of non-compliance. You may use the Corporate Compliance Hotline without fear of retaliation. It is run by an independent third-party. It is confidential and available 24-hours a day.

It is not Elwyn's intention for the Code of Conduct to address every situation that you may encounter, but certain topics are important to understand because they are integral to ethical business practices, the safety of Elwyn consumers and its workforce, and the overall delivery of quality services.

Leadership

Elwyn's leadership must set good examples and follow the highest ethical standards when conducting Elwyn business. They should handle issues and concerns properly when they are brought up and leaders are expected to communicate clearly and hold themselves and others accountable to make sure that we all do the right things, with the goals of protection and safety of consumers and the operation of an honest and ethical organization. Elwyn's compliance program only works when leaders create a fair environment where people feel safe to ask questions and raise concerns without fear of retaliation.

Corporate Compliance Program

To achieve our mission, Elwyn is committed to compliance with all applicable laws and regulations. The Compliance Program was created to make sure the workforce is properly trained to follow laws, regulations, and operational policies. The Compliance Program provides a way for individuals to ask questions, raise concerns, and report issues without fear of retaliation.

The Corporate Compliance Department oversees the Compliance Program. Its primary function is to help Elwyn adhere to federal and state laws. In other words, the Corporate Compliance Program ensures that Elwyn 'plays by the rules' that are set by the government and other agencies.

Scope

The Code of Conduct applies to all members of the workforce at every Elwyn entity and location, including: The Elwyn Foundation, Elwyn of Pennsylvania and Delaware, Elwyn New Jersey, Elwyn California, Elwyn of Pennsylvania, Fellowship Health Resources, Fellowship Realty Corp of Massachusetts and Fellowship Realty Corp. All services lines in every state where Elwyn does business must abide by the Code: Children's Services, Adult Behavioral Health and IDD services.

Ensuring Excellent Care

Quality Standards

Elwyn is committed to the provision of quality care consistent with industry standards and regulatory requirements. Elwyn always strives to meet professionally recognized standards of care and to achieve quality related goals. To that end, Elwyn through a variety of measures and mechanisms reviews the quality of consumer treatment, rehabilitation, and support services provided by Elwyn. These measures include credentialing and peer review activities, infection control, a quality improvement program, and risk management activities.

Due Care in Hiring, Contracting and Use of Volunteers

Elwyn will not contract with, hire or otherwise engage any individual or entity to provide services, if the person or entity is excluded, debarred, suspended or otherwise ineligible to participate in federal health or human service programs. Elwyn will not engage anyone for services who has been convicted of physical or sexual abuse.

To carry out this policy, Elwyn screens and checks the employment history and criminal history of prospective employees and contractors, and volunteers as applicable. Such reasonable inquiries at a minimum shall include state and federal criminal background check, the national sex offender registry, a review of the HHS-OIG List of Excluded Individuals and Entities and the General Services Administration List of Parties Excluded from Federal Procurement and Non-Procurement Programs.

Every workforce member (i.e. hired, contracted or volunteering) who works with consumers is required to acknowledge in writing their understanding of the Elwyn Safety Advisory and their personal responsibility to protect consumers from all forms of abuse.

Protection and Safety

Quality health care can only be provided in an environment free from identifiable hazards that could place Elwyn's consumers and workforce members at risk. All workforce members are required to adhere to and observe the relevant safety laws and regulations that apply to their role, as well as any accreditation standards. Requests from regulatory agencies shall be referred to the Executive Director/Director of Quality Improvement for the applicable service line or the Executive Director of Risk Management.

Everyone within Elwyn has an obligation to maintain a safe working environment not only for themselves and their co-workers, but also for anyone entering Elwyn property. To support the obligation to avoid accident or injury, all employees are provided with training at hire, annually and as appropriate. In addition, Elwyn shall provide personal protective equipment and other equipment as appropriate, as well as written policies detailing safety procedures and requirements. Employees are expected to know and to refer to specific safety policies, procedures, and resources related to their individual jobs. All Elwyn employees should immediately report to their supervisor any injury to an employee or any injury or unusual occurrence to consumers and others.

Prevention of Abuse and Neglect

All workforce members must demonstrate a commitment to maintaining an environment at Elwyn that is safe for the individuals served. Each member of the workforce shall ensure that no consumer experiences physical, sexual, emotional abuse or neglect. Every member of the Elwyn workforce is required to immediately report concerns about suspicious or

inappropriate behavior that involves an Elwyn consumer. We each have a legal duty to protect individuals by reporting suspicions of abuse and neglect, internally as well as to the appropriate state authorities.

Elwyn employees, contractors and volunteers must accept personal responsibility for protecting individuals from physical, sexual, emotional and all forms of abuse, to ensure a safe and supportive environment for everyone. Ensuring a safe supportive environment for everyone requires enforcement of essential standards and procedures, such as:

- Employees contractors and volunteers complete comprehensive training to recognize and prevent abuse, and to understand their responsibilities and expectations for meeting the standard.
- Supervisors and administrators actively monitor the behavior of employees, contractors and volunteers to ensure compliance with abuse prevention policies. They will take immediate steps to remove individuals from potential harm and conduct regular quality reviews to identify and address issues that may provide opportunities for abuse to occur.
- Employees, contractors, and volunteers are expected to report concerns to their supervisors or the on-call supervisor immediately, and to follow incident reporting procedures. Reporting is your responsibility, even if you expect that someone else has already made an appropriate report.

Elwyn's internal Corporate Compliance Hotline is always available to request guidance and to report suspicion of corporate misconduct (1.877.837.4250 or www.elwyn.ethicspoint.com), but it does not satisfy immediate reporting. Suspected abuse or neglect must be reported to state authorities to ensure thorough and objective investigation, and proper resolution of such cases.

- Elwyn will investigate all reported allegations of abuse and neglect. This ensures that we gain understanding of what occurred, with a goal of ensuring that all appropriate measures are taken to prevent future incidents of abuse.
- Employees, contractors, and volunteers who fail to uphold Elwyn's abuse prevention policies face disciplinary action, which can range from a formal warning and mandatory retraining to suspension or termination of the work relationship.

These are all essential for the protection of individuals so that we may deliver excellent care. Together we can help maintain a safe and supportive environment and ensure that all forms of abuse are prevented or detected and promptly eliminated. Everyone at Elwyn must contribute to the culture of safety and accountability.

Communication with Consumers

Social media and electronic communication with consumers is prohibited in accordance with Elwyn's Social Networking Policy. Workforce members must refrain from any direct

electronic communication with consumers including social media platforms, text and email. Using electronic communication is a last resort. However, if these interactions are part of programming or otherwise unavoidable, Elwyn offers the following guidelines for workforce members:

- Consult a supervisor for approval in advance to help evaluate whether electronic communication with the consumer is necessary for programmatic reasons;
- If the supervisor deems the communication necessary, copy or otherwise include the approving supervisor (or their designee) in the approved electronic correspondence with said consumer;
- Keep communications professional in nature and limit discussions to the approved programmatic purpose. Sexually oriented conversations with consumers are prohibited; and
- Limit electronic communication with consumers to the organization's normal business hours and the hours when you are on duty. Any messages to a consumer during off-duty hours are permitted only in an emergency, for example, in order to locate a consumer or secure their safety.

If a consumer reports that they are a victim of abuse or a workforce member suspects that a consumer has been abused, that workforce member must report the information to a supervisor and child protective services immediately, and they may be required to report the allegation to local law enforcement.

Elwyn will provide consumers and parents/guardians with information about how to respond to inappropriate communications. Parents/guardians may request in writing that a consumer not be contacted through any form of electronic communication.

Outside Interactions with Consumers

Planned outside interactions between workforce members and consumers are not permitted unless written in the individual's care plan. A planned outside interaction with a consumer requires the individual's (or the parent/guardian) written authorization and the supervisor's written approval.

Any unplanned outside interactions must be immediately reported to the supervisor upon the workforce member returning to work. All outside interactions may be subject to internal investigations and discipline if inappropriate behavior or abuse is suspected.

Elwyn employees shall not act as a witness to documents signed by individuals served such as a will, power of attorney or advance directive. Elwyn employees may countersign documents such as intake forms, authorizations (i.e., release of information form), treatment plans, etc. as directly related to their job duties. Elwyn employees may witness organization contracts as authorized by their area Vice President. Employees who are certified as Notary Publics may witness documents executed by authorized representatives of Elwyn and other documents for individuals served, personnel, and other stakeholders in accordance with

applicable state laws. The person who witnesses a document should be neutral and have no financial or other interest involved with the transaction.

Conducting Business with Integrity

Healthcare Regulatory Compliance

Elwyn is subject to various laws, rules, and regulations, both state and federal, which include requirements for access to services and consent for treatment, medical record retention standards, access to and confidentiality of health information, patient and consumer rights, clinical privileges, state licensing and operational standards, and Medicare and Medicaid payment regulations.

Elwyn is committed to a consistent level of quality care and service for consumers and families. To avoid compromising the quality of care, all clinical decisions (including tests, treatments and other interventions) are based on identified consumer health care needs regardless of how Elwyn compensates its employees or clinical staff. The acuity of the consumer's condition as assessed by the respective health care professional determines the plan of care and resource allocations for the consumer's needs.

It is Elwyn's policy that every employee be familiar with the legal and regulatory requirements applicable to their area of responsibility. Employees are not expected to become an expert on every legal and regulatory requirement and should consult with their supervisor or the Corporate Compliance Officer whenever they have questions or are unsure of a particular activity.

The following are examples of regulatory policies related to billing and coding:

- It is Elwyn's policy to use the proper diagnosis and procedure codes for services documented in the medical records and to follow National Correct Coding Initiative guidelines; and
- All Medicare, Medicaid and third party payer bulletins, alerts, and updates will be disseminated to appropriate personnel in a timely manner.

Individual states have specific statutes and regulations that also must be followed by Elwyn employees in those states.

Referrals and Kickbacks

There are numerous federal and state laws governing Medicare, Medicaid, Workers' Compensation and other health programs that prohibit certain types of financial arrangements with individuals and entities who refer consumers and/or provide goods or services to be paid for by such programs.

All employees should exercise caution when entering into transactions that involve referral sources. If employees are concerned that such an arrangement may be improper, they should discuss the situation with their immediate supervisor, or the Corporate Compliance Officer, or call the hotline.

Elwyn has instituted policies and procedures to ensure that:

- Employees will not solicit, receive, offer to pay, or pay a financial benefit of any kind in exchange for referring or recommending the referral of any individual to another person, Elwyn, or medical facility of Elwyn for services or in return for the purchase of goods or services to be paid for by state or federal health care programs;
- Employees will not offer or grant any benefit to a referring physician or other referral source on the condition that such physician or referral source refer or agree to refer any consumers to a person or medical facility;
- Physicians will not make referrals for health care services to entities in which the physician has a financial interest (either through ownership or a compensation arrangement), unless the financial arrangement complies with applicable laws; and
- Elwyn will not knowingly bill for services rendered as a result of an improper referral.

The Federal False Claims Act

Purpose: The False Claims Act exists to fight fraud, or false claims, against the federal government.

What is a “false claim”?: A false claim may take many forms, including, for example, overcharging for a product or service, delivering less than the promised amount or type of good or services, underpaying money owed to the government, and charging for one thing while providing another.

Applicability: In general, the False Claims Act covers fraud involving any federally funded contract or program with the exception of tax fraud.

Damages and Penalties: Under the False Claims act, anyone who knowingly submits or causes the submission of false claims to the government is liable for damages of up to three times the erroneous payment, plus penalties that can range from \$11,803 to \$23,607 per false claim; and these amounts are updated periodically for inflation.

Mechanism: A private individual – called the whistleblower or “relator” – who possesses and comes forward with information regarding the false claims is authorized to file a case in federal court and sue, on behalf of the government, those entities that engaged in the fraud. These are called “qui tam” suits. The Department of Justice then decides on behalf of the government whether to join the whistleblower/relator in prosecuting these cases.

Whistleblower/relator’s share: If the case is successful, the whistleblower may share in the recovery. The amount of the relator’s share depends on multiple factors.

Whistleblower/relator rights and protections: The False Claims Act provides a remedy for whistleblowers who are discharged, demoted, suspended, “or discriminated against in the terms and conditions of employment by his or her employer” in retaliation for filing a False Claims Act case.

Elwyn has instituted policies and procedures to ensure that:

- Employees, managers, contractors, and vendors shall not submit or cause to be submitted any claim for payment to Medicare or Medicaid which is false or fraudulent and which the employee knew or should have known (or had reckless disregard for) the falsity of the information contained in the claim.
- Employees, managers, contractors, and vendors are made aware of the provisions of the Federal False Claims Act and any applicable state false claims act provisions.
- Employees are made aware that they must report any actual or perceived violation of this Code of Conduct or the Program to the appropriate supervisor, or the Corporate Compliance Officer, or through the hotline.

All employees should exercise caution when entering into transactions that involve referral sources. If employees are concerned that such an arrangement may be improper, they should discuss the situation with their immediate supervisor, or the Corporate Compliance Officer, or call the hotline.

Additional considerations for individual states can be found starting on page 10 of this document.

Preventing Fraud Waste and Abuse

Elwyn follows important federal and state laws to prevent fraud and abuse in government funds like Medicaid and Medicare. We make sure to comply with relevant laws like the Federal False Claims Act, state false claims laws, applicable whistleblower protection laws, the Deficit Reduction Act of 2005, the American Recovery and Reinvestment Act of 2009, the Patient Protection and Affordable Care Act of 2010, and other applicable billing requirements for state and federally funded health care programs.

Elwyn takes the prevention of fraud, waste, and abuse very seriously and has policies and procedures to prevent fraudulent activities. We are committed to honesty and integrity in everything we do. As a vital member of the Elwyn workforce, you are expected to be familiar with what may constitute fraud, waste and abuse, so that you can recognize and report if observed in any Elwyn services or programs.

Fraud

An intentional deception or misrepresentation made by a person with the knowledge that the deception could result in some unauthorized benefit to him/her or some other person. It includes any act that constitutes fraud under applicable federal or state law.

Examples of fraud include:

- Intentionally billing for services that were not provided
- Falsifying signatures
- Rounding up time spent with an individual
- Altering claim forms

Abuse

Provider practices that are inconsistent with sound fiscal, business, or medical practices, and result in an unnecessary cost to government-sponsored programs, and other health care programs/plans, or in reimbursement for services that are not medically necessary or that fail to meet professionally recognized standards for health care. It also includes recipient practices that result in unnecessary cost to federally and/or state-funded health care programs.

Examples of abuse include:

- Services that are billed by mistake
- Misusing codes: code on claim does not comply with national or local coding guidelines; not billed as rendered
- Billing for a non-covered service
- Providing services in a method that conflicts with regulatory requirements (e.g., exceeding the maximum number of patients allowed per group session)
- Retaining and failing to refund and report overpayments (e.g., if your claim was overpaid, you are required to report and refund the overpayment, and unpaid overpayments also are grounds for program exclusion)

Waste

Over-utilization of services or other practices that result in unnecessary costs.

Examples of waste include:

- Using excessive services such as office visits
- Providing services that aren't medically necessary
- Ordering excessive testing

Overpayment

Any funds that a person receives or retains under Medicare, Medicaid, and other government funded health care programs to which the person, after applicable reconciliation, is not entitled under such health care program. It includes any amount that is not authorized to be paid by the health care program.

Examples of overpayment include:

- Inaccurate or improper cost reporting
- Improper claiming practices
- Fraud
- Abuse

Financial Reporting

Elwyn employees maintain a high standard of accuracy and completeness in maintaining financial records. These records serve as the basis for managing the programs, for measuring and fulfilling Elwyn's obligations to consumers, employees, suppliers, and others. It is therefore Elwyn's policy to comply with the recording requirements of applicable laws and established financial standards and generally accepted accounting principles.

In particular, Elwyn employees will comply with the following requirements:

- Employees, whether they are filling out a time card, preparing a purchase requisition or completing budgets and financial statements, will follow the accounting, reporting, and control procedures that have been established by Elwyn;
- Employees will provide full access and cooperation to any internal or external auditors and/or to the Corporate Compliance Officer's designees, including all records, supporting documents, and files requested;
- Under no circumstances will our employees falsify, back date, intentionally destroy, or otherwise tamper with Elwyn records. However, nothing herein is intended to prevent the purging of unnecessary documents. Accurate records that support the reasons for certain actions that might subsequently be questioned should be preserved;
- Employees will hold all financial information confidential as required by the standards established by Elwyn.
- Employees will submit reports to government authorities which are accurate in all respects. In addition, Elwyn will make available to authorized governmental agencies the information necessary for such agencies to make appropriate determinations with respect to matters under their jurisdictions.

Billing and Accounting

Elwyn will ensure that billing practices comply with all federal and state laws, regulations, guidelines, and policies. Elwyn is also committed to developing and maintaining protocols that ensure accurate submission of claims only for services that are actually rendered, supported by medical record documentation, medically necessary and consistent with Medicare contractor local policies. Furthermore, Elwyn develops protocols for ensuring that Elwyn's policies reflect current changes in payment methodologies for particular services.

As billing is an area governed by complex laws and regulations, and, as billing practices may result in legal liability, this policy sets forth specific billing procedures with which all billing, reimbursement and claim processing personnel must comply:

- All billing personnel are required to attend periodic training sessions devoted specifically to issues involving claims processing and submission, billing, coding and reimbursement matters;
- Elwyn reimbursement and billing manuals and materials are kept up-to-date and reflect current government rules, regulations, and practices;
- Managers responsible for consumer accounting, billing, reimbursement and finance will review and maintain a central library of all government and payor regulations, guidelines, and updates in order to verify that all policies reflect any changes in coverage determination or regulatory change;
- Appropriate management representatives will review, on a periodic basis, all billing, claims processing, and reimbursement protocols and practices;
- Elwyn may elect to contract with an independent firm to conduct an external audit of billing, claims processing and reimbursement procedures and practices. The independent firm will work under the direction of the Corporate Compliance Officer;
- Billing, accounting and finance personnel who identify any potential billing or reimbursement discrepancies with respect to claims already submitted to government or private payors, are required to immediately report those discrepancies to their supervisor, or the Corporate Compliance Officer, or the hotline;
- Billing, accounting and finance personnel will immediately report to their supervisor any billing instruction received from payors, either verbally or in writing, that is inconsistent with current accepted procedures. The billing supervisor will promptly bring these reports to the attention of the Corporate Director of Finance and the Corporate Compliance Officer; and
- Elwyn will educate the third party agencies (those contracted to perform any billing, claims processing, collection and other tasks) on the Program and the expectations associated with the arrangement. The Corporate Compliance Officer may require the third party agents to acknowledge their acceptance and agreement to conduct business

in accordance with the Program and may elect to conduct periodic reviews of the agent's compliance with these policies and procedures.

Billing, accounting and finance personnel may encounter additional uncertainties not outlined herein. In such circumstances, personnel should bring the issue to the attention of their supervisor, or the Corporate Compliance Officer, or call the hotline.

Political Activity

Employees are encouraged to vote. However, nonprofit organizations like Elwyn cannot engage in partisan political activity; doing so will put the organization's charitable status at risk and may subject the organization to penalties and restrictions. Elwyn employees may not use organizational assets, directly or indirectly, to support a political candidate or party. You may support whoever you wish to support politically, as long as such activities are done in your own name, and in no way associated with Elwyn, including not seeking reimbursement from Elwyn of expenses for unauthorized political activity. You should consult Elwyn's Corporate Compliance Officer before engaging in political activity at work, if you are uncertain whether such activity is permitted.

Gifts to or from Vendors and Referral Sources

Offering a gift to a referral source, vendor or supplier, or accepting a gift, has the potential to influence future business decisions and create the appearance of impropriety. The following information provides general guidance on this topic. Depending on the circumstances of the gift and the business relationship, the exchange of gifts may be deemed illegal. Elwyn shall not accept gifts from industry suppliers, referral sources or other vendors in exchange for doing business.

Cash or cash equivalents given to you personally are not permitted. Financial gifts to Elwyn must be given in compliance with federal and state laws, as well as organizational policies. Due to the significant ethical considerations in the offer of personal gifts to referral sources, vendors, consultants or suppliers (i.e., pharmaceuticals, devices, or technology, etc.) or any other product purchased in connection with the delivery of services, you should consult with the Corporate Compliance Office for specific advice.

Gifts to or from Consumers

Elwyn employees and volunteers are not permitted to solicit tips or gifts from consumers, visitors, or business associates for performances of the employee's duties. They may accept only gifts of nominal value (not more than \$25) from a consumer or the consumer's family. Employees and volunteers must disclose all gifts to their immediate supervisor or the designated administrator. Under no circumstances can cash or gift cards be accepted from consumers or family members. If a consumer or family member offers an employee or volunteer a gift that exceeds \$25, the employee or volunteer should politely decline the gift

and refer the giver to Elwyn's Code of Conduct. The employee or volunteer can also encourage the guardian or consumer to speak with an immediate supervisor and/or designated administrator if they have any questions or make a donation to The Elwyn Foundation.

Artwork and letters of appreciation written by consumers for specific employees, contractors and volunteers should be displayed in a public area at the organization for all to enjoy. Employees and volunteers may not take consumer artwork or letters away from the organization whether to their personal homes or any other location.

Elwyn employees, contractors and volunteers may not offer gifts, items of value or free services to consumers without approval; doing so may present a risk of violating federal and state laws governing improper inducements. Contact the Corporate Compliance Officer for guidance.

Conflicts of Interest

A Conflict of Interest occurs when a person's judgment is thought to be compromised because a clash or 'conflict' exists between their personal interests and their professional duties. COIs usually occur when a person has vested interest—such as money, knowledge, or relationships. These circumstances call into question whether the person's actions, judgment, and/or decision-making is still loyal to, and in the best interest of their employer, the client or the organization, even if an individual does not act on a Conflict of Interest.

Elwyn employees are obligated to adhere to Elwyn's policy on disclosing conflicts of interest, or any event that has the potential or appearance of a conflict of interest. Conflicts of interest are considered to exist in situations where employees' actions or activities involve:

Business/Financial

Generally, this occurs when there is an opportunity for a person to use their position, knowledge, or influence for personal gain in business dealings, instead of honoring the obligation to their client, employer, or the organization. This practice is often referred to as 'self-dealing.' A business or financial conflict of interest can apply to many different types of relationships; it will depend on the circumstances and the parties involved.

Inappropriate gift

A gift is inappropriate and creates a COI when an item of value (e.g. entertainment, accommodations, cash/gift card, meals, electronics, etc.) from an outside party is given to an employee or the employee's family member. Offering or accepting a gift can influence a person's decision in favor of the outside party.

A small gift of appreciation from a customer for exceptional services and promo items with a company's name/logo (e.g. t-shirt, mug, pen) are generally permitted, as long as the items are of nominal value.

Nepotism/Cronyism

This can be described as showing favoritism to relatives and friends in business deals and hiring, or showing preferential treatment to friends and family that is based on the relationship rather than merit or qualifications.

Employees should refer all conflict of interest questions to the appropriate supervisor, or the Corporate Compliance Officer.

Confidentiality and Privacy

Elwyn employees may not use or disclose information that would compromise consumer or employee confidentiality. To ensure that protected health information remains confidential, employees are required to comply with the privacy and security requirements of the Health Insurance Portability and Accountability Act of 1996 (HIPAA). Those requirements are set forth in Elwyn's privacy and security policies and the posted notice of privacy practices. All workforce members are required to bring privacy and security compliance issues or concerns to their immediate supervisor, to Elwyn's Privacy Officer, the Elwyn Service Desk or to the Corporate Compliance Hotline.

Elwyn employees shall also comply with all other applicable confidentiality requirements imposed by law, regulation, or contract. Confidential information is proprietary to and an asset of Elwyn. Unauthorized disclosure or use of confidential information about Elwyn's strategy and operations is a violation of the Code of Conduct and will cause irreparable harm and loss to Elwyn. Although you may use confidential business information as necessary to perform your job, it must not be shared with others outside the organization or internally with those who do not need to know the information to perform their jobs.

Confidential and proprietary business information covers anything related to our business or operations that is not publicly known, for example, personnel files, wage and salary information, financial information, cost data, strategic plans, marketing strategies, projected earnings, techniques, employee lists, the census or directories, information related to acquisitions or joint ventures, policies and procedures, clinical information, personally identifiable information, computer system log on IDs and passwords, emails, and proprietary computer software.

Use common sense to help prevent accidental disclosure of confidential information. Do not discuss confidential or proprietary information outside of work. Your family or friends may not abide by confidentiality and you could be held responsible for their disclosure.

Certain limited and specific disclosures are permitted in confidence, under privilege of legal counsel or under seal of the court, in order to proceed with a federal or state investigation, to address a suspected violation of the law.

Elwyn's educational program employees must ensure that student/consumer information remains confidential; employees are required to comply with the requirements of the Family Education Rights and Privacy Act (FERPA) as those requirements are set forth in Elwyn's education policies and procedures. Employees are to bring FERPA privacy compliance issues or concerns to their immediate supervisor or to Elwyn's Privacy Officer.

This policy also applies to all members of Elwyn workforce, including medical staff, volunteers, and students who have access to consumer information.

Medical Records

Elwyn maintains and adheres to a comprehensive medical records management policy. The policy outlines procedures for establishing records retention periods, retaining records in active or inactive storage, and for disposing of records at the conclusion of the retention period. Some of the elements of this policy are:

- Elwyn maintains all records for at least the minimum period required by applicable State and Federal laws, regulations, or by contract;
- Elwyn maintains records management files adequate to document Elwyn's compliance with all relevant laws;
- Elwyn will periodically destroy records pursuant to a standard policy so as to avoid any implication that Elwyn deliberately destroyed records in anticipation of a particular problem;
- Elwyn maintains a policy that addresses records maintained on electronic data processing media, as well as printed documents.

Duty to Report and Cooperate with Investigations

Protection from Retaliation

Elwyn is committed to transparency and will not tolerate retaliation or retribution against anyone for reporting, in good faith, any actual or suspected violation or failure to comply with law, regulation, policy or our *Code of Conduct*, even if the allegation cannot be substantiated. However, if someone purposely falsifies or misrepresents a report or makes false statements during an investigation with the intent to harm or retaliate against another person, they will be subject to disciplinary actions.

It is important to understand that no policy can protect you from applicable consequences if you have broken the law or violated our policies.

Corrective Action & Disciplinary Procedures

The Code and related compliance policy establish procedures for investigating known or suspected violations. Appropriate corrective action will be taken when individuals fail to comply with Elwyn policies or state and federal laws and regulations. Corrective action, remediation, and/or disciplinary measures for improper conduct will be imposed uniformly for all levels of employees, without regard to position or influence. Corrective action may take many forms, including disciplinary actions up to and including termination of the relationship, as well as possible state and federal actions and penalties, depending on the severity of the violation and whether the misconduct was intentional.

Reporting Potential Errors and Compliance Concerns

Our *Code of Conduct* is designed to help us make decisions that support our values when we are confronted with difficult situations. Everyone is required and expected to report any actual or suspected compliance violations. If you think a law, regulation, policy, or our *Code of Conduct* is not being followed, you have a duty to report it to your supervisor or our Office of Compliance. We encourage open and honest discussions and we want everyone to feel that they can tell the truth with courage.

Doing the right thing is your responsibility and failure to report compliance concerns may result in disciplinary actions, up to and including termination.

The following are ways that you can report concerns:

- Contact your supervisor or manager about your concern or problem.
- If you feel uneasy talking to your supervisor, voice your concern to the next supervisory level, up to and including the highest level of management.
- You may also contact the Compliance Office directly, including the Compliance Officer:
 - Office of Compliance at 610-891-2105
 - Corporate compliance@elwyn.org
 - 24-hour Hotline at 1.877.837.4250

When reporting a compliance concern, it's important that you provide as much detail as possible so that the issue you raise can be investigated. Be sure to include information, such as the location where your concern occurred or is occurring (for example, the hospital name and department), the date or dates of any incident, the names and job roles of individuals involved in the concern, a description of your concern, and your name if you are comfortable letting us know. All reports will be treated as confidential and will be shared with others only on a need-to-know basis. The Compliance Officer will ensure that all reports will be thoroughly and fairly investigated, and that appropriate action is taken.

Sometimes we are required by law to report certain compliance issues to federal and state agencies. When this is the case, the Office of Compliance will openly communicate with federal and state regulators when necessary.

Elwyn is committed to correcting wrongdoing, whether intentional or inadvertent, wherever it may occur in the organization, and to cooperating fully with government investigations.

REVISED: December 23, 2024
 September 2022
 October 2020
 July 2020
 June 2000
 March 2019
 March 2018

Acknowledgement

Code of Conduct

The Code of Conduct (the Code) outlines Elwyn's commitment to maintaining compliance with the contractual, regulatory and ethical requirements that are applicable to its operations. Those most significant are regarding the safety of individual consumers and their protection from abuse, neglect and mistreatment, adherence to applicable conditions for participation and/or conditions for payment from federally funded programs, prevention of fraud and the assurance of revenue integrity in doing business with Medicaid and Medicare, assuring the privacy and security of consumer information, and other significant requirements, according to federal and state laws which are covered more fully in the Code.

The Code applies to every employee, officer, director, agent or contractor doing business with, or on behalf of Elwyn.

The Code is available so that everyone is aware of circumstances and behaviors that may violate the Code, or that may be inconsistent with Elwyn's mission, vision and values.

As an person or entity doing business with Elwyn, I hereby acknowledge that:

- I have received, read, understand and agree to abide by the Elwyn Code of Conduct as it applies to my work at or for Elwyn.
- I understand that any known or suspected violation(s) of the Code must be reported to a manager, a member of the Leadership Team, to the Corporate Compliance Officer directly, or through Elwyn's confidential Compliance Hotline (877-837-4250 or www.elwyn.ethicspoint.com).
- I understand my obligation to truthfully provide information and cooperate in any investigation of misconduct or alleged violation(s) of the Code.

Company

Print Name

Title

Signature

Date