



CODE OF ETHICS STATEMENT

GENERAL STATEMENT OF POLICY

All EverCare employees are charged with adhering to the highest possible level of ethical standards and integrity. These Ethical Standards must be observed by all employees. No employees, regardless of his or her position, may allow personal preferences, convenience or business pressure to compromise these Ethical Standards. It is the responsibility of each employee to report, to the proper individuals within the organization, any ethical concerns or questions concerning EverCare business activities, and to report any potential violation of law or regulation by anyone representing the organization.

This statement of Ethical Standards provides general information about our business principles and integrity guidelines. It does not replace any existing policies, procedures, or practices. More importantly, it cannot take the place of honest and open discussion between employees at all levels of the organization. To support this requirement, the program has identified the following Ethical Standards to guide in decision making and the recognition of practices that may put an individual or the organization at risk:


- ✦ Consistent provision of quality care
- ✦ Consistent practice of proper documentation, billing, & coding procedures to prevent fraudulent billing practices
- ✦ Consistent avoidance of Conflicts of Interest
- ✦ Consistent responsible use of company assets
- ✦ Consistent maintenance of a safe treatment & work environment
- ✦ Consistent fair & equitable treatment of employees

IMPLEMENTATION

Guidance for use of Ethical Standards in daily work includes, but is not limited to the following:

- ✦ **Consistent provision of quality care management:** EverCare will manage and coordinate high-quality services to program Members in accordance with their established Plan of Care and in a responsible, reliable and cost-effective manner. As an employee of EverCare:
 - You will manage and coordinate high-quality health, social and personal care that responds to individual, family and community needs
 - You will perform your job responsibilities with integrity and honesty, and will always give your best efforts to the Members, families, the community, and your fellow employees
 - As a key advocate for our Members, you will note and report any problems, deficiencies, or errors in the care of any Member, even those that seem small or insignificant
 - You will promptly report such matters to your supervisor or manager or to another person in authority at EverCare
 - Every employee will be responsible for managing and/or coordinating only those health care services and products which comply with all applicable laws, regulations and standards, including state and federal legislation regarding Member's rights

- Every employee will be expected to uphold sound standards of professional behavior throughout EverCare. EverCare employees will not act outside of their area of expertise without seeking the proper permission and guidance.
- In your decision making, and when appropriate, you will seek input from families, physicians, interdisciplinary care team members, and contracted vendors, and payer sources
- Every employee will be required to maintain complete and accurate care management and medical records and the documentation necessary to meet the requirements of practice laws, facility policies, licensure and certification requirements, and all applicable laws and regulations. This includes maintaining records necessary to demonstrate the medical necessity for and the nature and extent of the medical care, services, or supplies authorized and/or furnished
- You will ensure that no member is discriminated against based upon race, color, national origin, religion, sex, age, or disability
- No employee shall access or share our Member confidential information unless you are authorized and your assigned job duties require you to do so. Federal and state laws govern our use of our Member health, financial and other private information. The Health Insurance Portability and Accountability Act of 1996 [HIPAA] prohibits unauthorized disclosure of protected health information [PHI]. EverCare's policies and procedures include HIPAA requirements that we must follow when working with PHI. You must maintain the trust that our Members place in you and keep their information confidential at all times
- No employee will deceive, mislead, or threaten a member or family member

 **Consistent practice of proper documentation, billing, and coding procedures to prevent fraudulent billing practices:** Every EverCare employee, contractor and vendor will uphold all relevant and applicable laws and regulations. If there is any doubt as to the legality of any action you are asked to take, you must seek advice from your supervisor or manager and, as appropriate, designated legal counsel before taking that action. In addition, you may contact the Corporate Compliance Officer at any time to seek guidance or assistance. When assistance is needed beyond the scope of knowledge of the Corporate Compliance Officer in the area of Fraud and Business Practices, consultation will be sought with an independent Audit Firm and/or from the Health Ethics Trust, consultative subsidiary of The Council of Ethical Organizations, located in Alexandria, Virginia. EverCare will only pursue business opportunities and relationships that are legal and consistent with EverCare's Ethical Standards. No employee, regardless of his or her position or authority within the EverCare organization, will instruct or encourage any other employee to undertake an illegal activity on behalf of the company

- Each employee will prepare and maintain Member and company records and reports fully and accurately, including retaining and preserving such records as specified by EverCare policies and procedures
- No employee will furnish or authorize medical care, services or supplies that are substantially in excess of the member's needs, nor will any employee permit or authorize vendors to provide or bill for such services
- Employees will verify that all required documentation is included in the record before any claim for payment is submitted. Any claim for payment or

reimbursement that is false, fraudulent or otherwise inaccurate is strictly prohibited. EverCare employees will not alter vendor/provider documentation in any manner

- EverCare will accurately specify the services to be provided, benefits to be received, realistic time commitments, and reasonable compensation rate[s] in all contracts with clinicians/providers and referral sources, as appropriate
- All contracts will be reviewed and thoroughly vetted before an authorized officer of EverCare signs them. Various factors determine the required level of review. Many contracts require review by legal counsel as well as system management

✦ **Consistent avoidance of Conflicts of Interest:** Every EverCare employee will avoid both conflicts of interest and the appearance of conflicts of interest between your responsibilities as EverCare employees and any outside interest. Appearances count when it comes to conflicts of interest; co-workers and others with whom you may have contact in the course of your work may judge the fairness and appropriateness of your conduct merely by how it appears to them. A conflict of interests exists when an EverCare employee's loyalty is divided between his or her responsibilities to EverCare and an outside interest. A good rule of thumb is that a potential conflict of interest exists any time someone viewing your actions might wonder if your actions are motivated solely by your responsibilities to EverCare or by another "*personal*" or "*outside*" interest. Always disclose and seek resolution of any actual or potential conflict of interest, whether or not you consider it an actual conflict, before taking a potentially improper action. Refer to the policy and procedure on "*Conflicts of Interest*".

No list of examples can cover every type of conflict of interest. The following are merely examples of some important types of conflicts of interest:

- As an EverCare employee, you will avoid conducting business with any firm or company in whom you, members of your family, or your close business and personal associates have a direct or indirect interest [that is, ownership in the business, or make money from its business]. For example, you will not buy services or supplies from any company owned by a family member, unless an EverCare administrator is aware of the relationship in advance and approved the purchase once a competitive bidding process was conducted
- If you are involved in a personal business venture, you will conduct all business relating to that venture outside EverCare, and you will not conduct such business during company work time
- You will avoid direct responsibility for the hiring or supervision of a family member by EverCare or for the supervision of the family member in his/her work for EverCare
- Every employee will avoid soliciting, offering, accepting or providing any payment from or to anyone else, such as meals, gifts, transportation or entertainment that might be considered to conflict with EverCare business interest
- No employee will seek or accept any gift from a Member at any time, unless specific and limited exceptions to this are authorized and approved by the Chief Compliance Officer or Chief Executive Officer

- EverCare employees are NOT allowed to accept any gift of any value at any time. All gifts received despite EverCare's best efforts to discourage same, must immediately be given to the executive office, or Corporate Compliance Officer to be logged and dealt with.
- Entertainment and/or meals associated with legitimate business activities related to the furtherance of community partnerships, business growth, or strategic alignment is acceptable as long as it is logged and reported, prior to its occurrence, to the Compliance Officer or executive offices to ensure it meets business intent
- EverCare will be honest and fair when dealing with clinicians and referral sources. Cash gifts to clinicians or referral sources are strictly prohibited. Non-cash gifts to clinicians or referral sources that exceed normal business courtesy and/or are of value must be part of a greater organizational plan to brand our business
- EverCare will maintain impartial relationships with actual and potential vendors and contractors. You will avoid exerting or appearing to exert influences on behalf of those with whom EverCare does business or may do business because of friendship or any other personal relationship
- All vendors and contractors who desire a business relationship with EverCare must abide by its Ethical Standards in all their business interactions with and on behalf of EverCare. Program employees having knowledge of vendors or contractors who violate these Ethical Standards in their relationships with EverCare are expected to report such violations to their supervisor or other EverCare authority immediately
- Contributions in support of a political candidate or issue on behalf of EverCare are strictly prohibited

✦ **Consistent responsible use of company assets:** Every employee will be responsible to protect EverCare assets and the assets entrusted to it by others, against loss, theft and misuse. You will be equally diligent in protecting the assets of others, such as our Members, professionals and the employees who work on their premises.

- It is important to preserve EverCare property, facilities, equipment and supplies. This includes all EverCare property, whether owned or leased. EverCare property includes office and medical equipment, vehicles, supplies, reports and records, computer software and data, trademarks and service marks, intellectual property, facilities and company-provided services. No employee will take, use or copy EverCare property or material for the employee's own use or for the use of any unauthorized person or organization
- Employees will only dispose of surplus, obsolete or junked property according to company policies. Incorrect disposal of property will be avoided
- Each employee will protect Member property against theft or improper use by unauthorized individuals
- Each employee will guard Member and provider information against improper or unauthorized use according to EverCare policies. Member information may be shared only with those who have a legitimate need to review it and are authorized to receive such information

- Every employee will protect proprietary [that is, confidential] information provided to EverCare by actual and potential vendors, referral sources, contractors, service providers and others against improper use or unauthorized discrimination
- Every employee will protect intellectual property [such as written materials, audio, or video products, software etc.] developed as part of your employment by EverCare. You may not share this with another employer while working for the program or after departing the program and must return any such material in your possession to EverCare upon termination of employment
- Every employee must adhere to the Confidentiality Agreement

✦ **Consistent maintenance of a safe treatment and work environment:** consistent with EverCare's focus on quality and respect, all employees will take steps to maintain the safety of the environment for our Members and each other. Because of EverCare's commitment to its Members, each employee will seek to facilitate an environment that fosters the privacy, security and comfort of all program Members.

- EverCare will uphold all policies, procedures, laws, regulations, standards and practices intended to make the treatment and work environment healthy and safe
- EverCare will uphold all policies, procedures, laws, regulations, standards and reporting requirements relating to the environmental aspects of program operations. This includes use of buildings and property, and the proper use and handling of laboratory processes, chemicals, medical equipment, bio-hazardous waste and by products
- Each employee will ensure that drugs and pharmaceutical are safely stored and inventoried, and that missing supplies are promptly reported to the appropriate supervisor or manager
- It will be the responsibility of each EverCare employee to correctly dispose of medical waste, environmentally sensitive materials, and any hazardous material. If you are ever uncertain of the correct procedure for disposing of any material, you should immediately consult your supervisor or manager for assistance
- If any employee should observe any practice or condition that may not meet EverCare policies and procedures or any laws, standards or regulations, the employee will promptly report this to his or her supervisor, manager or an appropriate EverCare authority. The Chief Compliance Officer will be available to assist any employee who believes that a violation has occurred

✦ **Consistent fair and equitable treatment of employees:** EverCare encourages all employees to treat one another in a fair, respectful and considerate manner, regardless of position, station or responsibility. EverCare recognizes the diversity of our employees, staff, Members and community as a valuable asset. EverCare views diversity as essential to realizing our commitments to quality, service and community.

- EverCare prohibits discrimination on the basis of race, color, religion, sex, national, origin, age, disability, sexual orientation, veteran status, or any other characteristic protected by law. All of EverCare employment

related decisions will reflect this firm commitment. Refer to Equal Opportunity Employment policy.

- EverCare strives to create a work place and treatment environment free of sexual or other harassment. Harassment is strictly prohibited in all EverCare programs, and will not be tolerated. EverCare policy on Non-Discrimination and Anti-Harassment describes in greater detail the type of behavior that constitutes prohibited harassment. Any act of harassment will be treated as a serious matter that will result in immediate disciplinary action up to an including termination of employment. Should any employee observe or experience any such harassment, he or she will be expected to promptly report such behavior to his or her supervisor or manager or another appropriate EverCare leader
- Each employee is encouraged to take advantage of opportunities to develop your skills and talents to your full potential, and to further your knowledge, and understanding of your job. Our commitment to providing high-quality services to our Members requires that each employee strive to improve his or her ability to perform the job
- Each employee will strive through words and actions to create a professional atmosphere in the work environment that will be admired by employees, Members, and others within the community
- Every employee will observe the standards appropriate to the employee's profession and exercise good judgment accordingly. Significant differences of opinion in professional judgment should be promptly referred to your supervisor, manager or other EverCare authority for resolution
- EverCare supervisors and managers encourage employee input through regular meetings and opportunities for personal communication with employees, co-workers, supervisors and managers, and through other methods of communication. Every supervisor and manager has a responsibility to create a work environment in which ethical or integrity concerns can be raised and discussed openly without fear of retribution or retaliation