



Triad Healthcare Network Accountable Care Organization Participants and Employees

Code of Conduct

V 022819

Board of Managers Approved February 28, 2019

A MESSAGE FROM STEVEN NEORR

Senior Vice President



Triad Healthcare Network Accountable Care Organization (ACO) knows that participation in any business is a tremendous responsibility and requires trust with our partner. Triad Healthcare Network ACO programs have been entrusted by the Centers for Medicare & Medicaid Services (CMS) and state agencies to provide excellent service and care to our patients and members. THN is focused on ensuring we remain an ACO that others want to do business with, now and for many years to come.

We are committed to conducting ourselves with the highest regard for professional responsibility, integrity, and compliance for federal and state laws and regulations. The Triad Healthcare Network ACO Code of Conduct is the document that helps guide us through what this means on a daily basis.

The ACO Code of Conduct explains our responsibility for conducting business ethically. Please take a moment to carefully read this document and discuss any questions you may have with your supervisor or with the ACO Compliance Officer.

Please join us as we all pledge to keep ethics, integrity and compliance central to the way we do business. Thank you for your commitment to integrity and compliance!

Sincerely,

Steve

Steve Neorr
Senior Vice President

INTRODUCTION

Triad Healthcare Network Accountable Care Organization (ACO) is committed to conducting business with integrity and in compliance with all laws and regulations. Success depends on each of us making and keeping this commitment and helping ensure that all of our stakeholders obtain the best from each of us now and in the future. All Triad Healthcare Network ACO physician partners, ACO employees, contractors, providers and suppliers (hereinafter referred to as “ACO Participants”) play a key role in the compliance and integrity program.

Conducting ourselves and our business with integrity will strengthen our compliance program helping to make it a core competency and a competitive advantage. This ACO Code of Conduct has been adopted by the Triad Healthcare Network ACO Board of Managers in support of Triad Healthcare Networks ACO Compliance and Integrity Program. This Code of Conduct describes the standards by which all ACO Participants are expected to conduct themselves when working for, or on behalf of, Triad Healthcare Network ACO. This Code of Conduct may be supplemented by other Triad Healthcare Network ACO operations policies and procedures.

ACO Participants who are not affiliated with, or employed by, Cone Health¹ remain subject to the requirements of their own organization’s compliance programs, in addition to the requirements of Triad Healthcare Network ACO Compliance and Integrity Program and this Code of Conduct.

The ACO Code of Conduct is available electronically at www.compliance.com.

¹ Cone Health is the parent organization of Triad Healthcare Network, LLC.

Table of Contents

A Message from Steve Neorr.....	2
Introduction.....	3
Conducting Business with Integrity	6
Decision Making Framework	6
Asking Questions and Reporting.....	6
Investigation Process	7
Non-Retaliation	7
Corrective Action	7
Safe Workplace.....	8
Identification.....	8
Non-Discrimination.....	8
Non-Harassment.....	8
Weapons.	9
Drug and Alcohol Use	9
Integrity in the Work Place.....	9
Fraud, Waste, and Abuse.....	9
Fraud.....	10
Waste.....	10
Abuse.....	10
Conflicts of Interest.....	10
Outside Activities.....	11
Gifts & Entertainment.....	11
Anti-Kickback Act.....	12
Federal False Claims Act.....	12
Stark Statute (Physician Self-Referral Law).....	12
Next Generation ACO Waivers.....	13
NGACO Benefit Enhancements.....	13
Eligibility to Participate.....	14
Protected Health Information.....	14
Data Sharing.....	14
Retention of Records	15

Contacts with Government Officials.....15
Contacts with the Media.....15
Training and Education.....15
Proper Accounting.....16
Conferences and Seminars.....16
Use of ACO Assets.....16
Electronic Communications.....16
Electronic Mail (E-Mail).....17
Copyrighted Materials.....18
Social Media.....18
Acknowledgement.....19

Conducting Business with Integrity

Triad HealthCare Network (the ACO) is committed to conducting business with integrity and in compliance with all applicable laws and regulations. Success depends on each of us making and keeping this commitment and helping ensure that all of our stakeholders obtain the best from each of us now and in the future. As an organization that primarily conducts business with the federal government, the ACO is obligated to comply with all requirements outlined in 42 C.F.R. § 422.503 and §423.504.

Conducting ourselves and our business with integrity will strengthen our compliance program, helping to make it a core competency and providing a competitive advantage.

Our Code of Conduct is available electronically on our corporate policy website or hard copy by contacting the Compliance and Integrity Department and governs the conduct of all employees, members of the Board of Managers (when acting on behalf of the ACO), first tier, downstream and related entities (FDRs), contractors, and all agents of the ACO.

Decision Making Framework

We are often faced with decisions involving integrity. When we are, it is helpful to have a framework to guide us through the potential issue. Here are some questions to help guide you:

1. What is the potential issue, and is it illegal or against the ACO's policies and procedures?
2. Who might be affected by the actions, and how might they be impacted? This includes you, our stakeholders, and the ACO.
3. How might the potential issue affect me, the stakeholders, and the ACO?
4. Are the potential issues aligned with your personal ethics?

Asking Questions and Reporting

Anytime you have a question about Compliance and Ethics, or if you suspect a potential compliance issue including potential Fraud, Waste, and Abuse, have a conversation with your supervisor. If it is more comfortable, you may contact the Compliance and Privacy Helpline at 1-855- 809 - 3042, visit or you can send a note or letter to:

Attention: Sharon Kasica
Chief Compliance & Privacy Officer
300 East Wendover Ave. 2nd floor
Greensboro, NC 27401

These options allow you to submit your question or potential issue anonymously. When asking questions or reporting potential issues, it is always a good idea to have your facts organized and provide as much detail as possible. This helps to ensure a thorough as possible review.

Investigation Process

All reports of potential or actual unethical behavior or non-compliance is immediately reviewed, and subsequent investigative action taken as appropriate. During the course of the investigation, the Compliance and Integrity Department may seek assistance from other areas (e.g. human resources, audit, legal) to help ensure the investigation is conducted thoroughly and that any corrective and/or disciplinary action taken is consistent with the ACO's corrective action policies and procedures. Each of us is expected to cooperate fully with any investigation and to keep it confidential. The compliance officer has an "open-door" policy where anyone can bring forth a good-faith issue that will be treated in confidence.

Non-Retaliation

In many instances, the ACO relies on you to report in good-faith potential issues of compliance. The ACO will not tolerate any retaliation, intimidation, discrimination, or other adverse actions when you are reporting potential issues. If you suspect or observe retribution or retaliation, report it immediately to your supervisor or the Compliance and Integrity Department at 1-855-809-3042

Remember, knowingly and intentionally making false reports will not be tolerated and will be subject to corrective action.

Corrective Action

Triad HealthCare Network's Corrective Action policy applies to issues of compliance misconduct. A violation of the Code of Conduct, ACO Policies and Procedures, the law, or regulations may result in corrective action, including, but not limited to, termination of employment.

If an employee's work falls below acceptable ACO standards, or you do not follow the ACO rules, policies or procedures, you may be subject to disciplinary action. This disciplinary action may be in the form of disciplinary warning steps or termination. The ACO may choose to take one or more of these steps as necessary and may skip one or more steps progressing to immediate termination when it feels that circumstances warrant.

The level of corrective action will depend on factors such as the nature and severity of the issue and may result in any of the following levels of corrective action:

- Verbal Warning/Reprimand;
- Written Warning;
- Final Written Warning; and
- Involuntary Termination.

Unethical or illegal behavior that could impact our government business may subject the ACO to governmental corrective actions. Corrective actions may include civil monetary penalties (CMPs), sanctions, such as suspension of enrollment, or formal notices of non-compliance.

Safe Workplace

All employees are expected to conduct themselves in a manner that promotes a safe, cooperative, and professional environment and prevent disruptive behavior. You are expected to treat others with respect. The ACO will not tolerate any harassment, abuse, intimidation, or other retaliation.

Identification

One of the ways we can help keep our environment safe is to display our badges while at work and also be aware of anyone who is not wearing one. Access to ACO facilities and restricted areas requires employees to show or scan their badge. Badges should be worn above the waist at all times while on ACO property. If you notice someone that does not have a badge, ask them if they need assistance, and if needed, escort them to the reception office and do not allow them into operational areas of the ACO. If at any time, you observe any activity that violates the law or ACO policy, contact your supervisor or building security immediately.

Non-Discrimination

Our ACO strives to deliver safe, high quality care for all patients. We will treat all patients with respect and dignity, providing care that is both necessary and appropriate. The ACO and the ACO Participants will not deny, reduce or limit the provision of medically necessary services to any patient.

We will not allow any form of discrimination in the provision of services, marketing, or enrollment practices. In addition, the ACO and the ACO Participants will not deny, limit, or condition services to patients on the basis of race, color, religion, gender, sexual orientation, marital status, national origin, citizenship, age, disability, or other characteristic protected by law or any other factor that is related to health status, such as nature and extent of medical condition, medical history, or genetic information.

Non-Harassment

The ACO prohibits any disruptive, abusive, offensive, or impaired behavior. Prohibited conduct includes, but is not limited to:

- Inappropriate verbal communications, including profane, intimidating, or disrespectful language;
- Demeaning or condescending behavior, including condescending intonation, verbal abuse, or name-calling;
- Failure to adhere to organizational policies;
- Inappropriate physical contact, verbal outbursts, and physical threats;
- Unlawful workplace discrimination, harassment and sexual harassment Retaliation;
- Drug and Alcohol;
- Violence in the workplace

Weapons

Weapons, concealed or otherwise, are forbidden on ACO property with the exception of on-duty and off-duty, sworn law enforcement officers with federal, state, or local jurisdiction, Armed ACO/Private Police (i.e., Lankford ACO Police), or an Armed Transport Service (i.e., Loomis, Wells Fargo).

If you encounter anyone who has a weapon in their possession you should immediately notify the building security.

Drug and Alcohol Use

The ACO strives to maintain a safe, healthy, and efficient working environment. The unauthorized or unlawful use, possession, sharing, sale, purchase, manufacture, distribution, transportation or diversion of controlled substances by employees of the ACO leads to safety and health risks, not only for themselves, but for others, and is prohibited. Reporting to work or being on duty (including break times and scheduled on-call time) while under the influence of alcohol or illegal drugs is prohibited.

If you suspect someone is impaired, notify your supervisor, Human Resources, or the Compliance and Integrity Office. The ACO has an Employee Assistance Program in place to help employees who may have a substance abuse problem.

Integrity in the Work Place

Demonstrating integrity in the work place means making the best possible decision! You must be aware of the situation, careful to safeguard member and ACO information, avoid potential conflicts, use ACO property appropriately, ensure accurate and complete recordkeeping, and doing everything we can to keep a healthy and safe work place.

Fraud, Waste and Abuse

The ACO participates in federal programs with specific fraud, waste and abuse requirements. There are differences between fraud, waste and abuse. One of the primary differences is intent and knowledge. Fraud requires the person to have an intent to obtain payment and the knowledge that their actions are wrong. Waste and abuse may involve obtaining an improper payment but does not require the same intent and knowledge.

The government defines fraud, waste, and abuse as follows:

Fraud

Knowingly and willfully executing, or attempting to execute, a scheme or artifice to defraud any health care benefit program or to obtain (by means of false or fraudulent pretenses, representations, or promises) any of the money or property owned by, or under the custody or control of, any health care benefit program. 18 U.S.C. § 1347.

Waste

Waste is the overutilization of services, or other practices that, directly or indirectly, result in unnecessary costs to the Medicare program. Waste is generally not considered to be caused by criminally negligent actions but rather the misuse of resources.

Abuse

Abuse includes actions that may, directly or indirectly, result in: unnecessary costs to the Medicare Program, improper payment, payment for services that fail to meet professionally recognized standards of care, or services that are medically unnecessary. Abuse involves payment for items or services when there is no legal entitlement to that payment and the provider has not knowingly and/or intentionally misrepresented facts to obtain payment. Abuse cannot be differentiated categorically from fraud, because the distinction between “fraud” and “abuse” depends on specific facts and circumstances, intent and prior knowledge, and available evidence, among other factors.

If you have a question about a potential fraudulent, wasteful or abusive activity, you should immediately raise it up to your supervisor or the Compliance and Integrity Department. The Centers for Medicare & Medicaid Services has certain requirements to investigate and report out on fraud, waste and abuse.

Conflicts of Interest

A conflict of interest exists when personal interests or activities influence or appear to influence in any way your actions and decisions. Conflicts also occur when we allow another interest to become more important than the interests of the ACO. Conflicts may arise from many sources including, but not limited to, personal financial interests or those of a family member; the receipt of gifts from vendors or others whom we do business; or the use of the ACO resources to benefit outside interests or our own personal interests.

It is the expectation that all ACO Participants conduct their personal and professional relationships, including interactions with third party vendors, in such a way as to assure themselves, the ACO and the community that decisions made are in the best interest of the ACO without the slightest implication of wrongdoing. The exercise of judgment is required to determine if a potential conflict of interest situation exists.

The ACO has an annual conflict of interest process for the employees and board of managers.

Examples of potential conflicts include:

- Accepting gifts, donations, or entertainment from another ACO in return for business.
- Holding a financial interest in an ACO, by either you or a member of your immediate family, with whom the ACO does business and influencing the direction of more business to the outside ACO.
- Directing ACO business to an entity where a friend or relative works.

Before taking any action that might raise a conflict of interest, seek guidance from your supervisor or the Compliance and Integrity Officer.

Outside Activities

The ACO values and supports your involvement in the community. Sometimes these activities, including other employment, may have the potential to interfere with your work performance in a way that negatively impacts the ACO. If you think that your outside activities interfere or may interfere with ACO activities, talk to your supervisor or the Compliance and Integrity Office.

Gifts & Entertainment

Gifts and entertainment raise many questions. Employees shall not be permitted to accept gifts, money, or other gratuities from outside individuals or entities. It is acceptable to accept small tokens of appreciation as long as the value of the item is under \$100.

Employees should not solicit meals or entertainment from any individual or entity. In some cases, it may be acceptable to accept meals and entertainment offered by outside individual or entities in business dealings. These must be:

- Reasonable and not excessive;
- Infrequent;
- Compliant with ACO, federal, and state laws; and
- Approved by management.

There may be instances when giving gifts and entertainment is acceptable but must still comply with the law and the ACO policies.

- Never give monetary or non-monetary gifts, either directly or indirectly, that might appear to influence, obtain, or retain business. Monetary may include cash or cash equivalents (e.g. gift cards).
- There are specific rules about gift giving in government-related business. As a general rule:
 - No cash or cash equivalent; and
 - Medicare Advantage or Part D is limited to \$15 per item and \$50 cumulative per calendar year.
- For non-government business, employees may give nominal monetary and non-monetary gifts, and should be primarily advertising in nature. General guidelines provide the gifts are limited to \$100 per year, per individual.

Anti-Kickback Statute

Employees should not accept kickbacks or rebates from the purchase or sale of any ACO goods and services. This applies to you and your immediate family members. Kickbacks and rebates are not limited to cash or cash equivalent items, but also can be in the form of personal gain from the business dealing.

There are also strict federal laws that apply that prohibit kickbacks. The federal Anti-Kickback Statute prohibits the direct or indirect offering, giving, soliciting, or accepting of any money, fee, commission, credit, gift, gratuity, thing of value, or compensation of any kind to improperly obtain or reward favorable treatment under any government contract. This includes kickbacks and rebates to or from a vendor, provider, or government agency, or their employees, in connection with favorable treatment under a federal health care program such as Medicare. By law, the ACO is required to report violations of the Anti-Kickback Statute to the government and it is critical that all potential violations be reported to the Compliance Office.

If you violate the Anti-Kickback Statute or other anti-fraud laws, you may be subject to disciplinary action, including termination of employment and legal action.

Federal False Claims Act

Federal and state false claims acts establishes liability for any person who knowingly presents or causes to be presented a false or fraudulent claim to the government for payment. It also established that the failure to return any overpayment of government funds may also be a false claim. Some examples include submitting a false claim for payment or approval; not returning overpayments; and making or using a false record or statement in support of a false claim.

If you violate the Federal False Claims Act or other anti-fraud laws, you may be subject to disciplinary action, including termination of employment and legal action.

Stark Law (Physician Self-Referral Law)

The federal Stark Physician Self-Referral Law generally prohibits a physician from making referrals to an entity for certain designated health services if the physician (or an immediate family member) has a “financial relationship” with the entity.

If you violate the Federal False Claims Act or other anti-fraud laws, you may be subject to disciplinary action, including termination of employment and legal action.

Next Generation ACO Waivers

CMS grants Waivers of certain fraud and abuse laws in connection with the NGACO model. The design of the Waivers is premised on the expectation that the requirements of the NGACO Participation Agreement will mitigate risks of fraud and abuse. THN employees, vendors, contractors, and network Participants must comply with Waiver requirements. The Waivers include:

- Next Generation ACO Participation Waiver, Section 1115A(d)(1) of the Act Section 1877(a) of the Act
- Shared Savings Distribution Waiver, section 1115A(d)(1) of the Act, section 1877(a) of the Act
- Physician Self-referral Law Waiver, section 1115A(d)(1) of the Act, sections 1128B(b)(1) and (2) of the Act
- Patient Engagement Incentives' Waiver, section 1115A(d)(1) of the Act, section 1128A(a)(5) of the Act (Civil Monetary Penalties for beneficiary inducements); sections 112B(b)(1) and (2) of the Act (Federal Anti-kickback statute). Patient Engagement Incentives include:
 - In-kind Patient Engagement Incentives
 - Chronic Disease Management Reward
 - Cost Sharing Support
- AIPBP Payment Arrangement Waiver, section 1115A(d)(1) of the Act, section 1877(a) of the Act (Physician Self-Referral Law) and sections 112B(b)(1) and (2) of the Act (Federal Anti-kickback statute).

For more information, please refer to the [NGACO Participation Agreement](#)

Next Generation ACO Benefit Enhancements

The Next Generation Benefit Enhancements are a means to offer certain covered services to Beneficiaries with certain changes to the coverage requirements. The Benefit Enhancements include:

- 3-Day SNF Rule Waiver
- Telehealth Expansion Waiver
- Post-Discharge Home Visits
- Chronic Disease Management Reward
- Cost Sharing Support

The Chronic Disease Management Reward Benefit Enhancement and Cost Sharing Support Benefit Enhancement involve giving remuneration to Beneficiaries to induce them to seek care or reward them for seeking care. Therefore, these two Benefit Enhancements are offered through the Patient Engagement Incentives' Waiver outline above.

Arrangements between or among NGACO Participants, Preferred Providers, and others to furnish the other Benefit Enhancements must comply with fraud and abuse laws and may qualify for protection under the Participation Waiver if all waiver conditions are met.

For more information, please refer to the [NGACO Participation Agreement](#)

Eligibility to Participate

Federal and state laws prohibit ACO Participants from employing, contracting or retaining anyone who have been excluded, suspended, debarred, or otherwise ineligible to participate in government

programs. ACO Participants are expected to take all necessary steps to ensure employees involved with the provision of health care remain eligible to participate in federal and state health care programs. The ACO has a monthly process to review employees, board of managers and vendors.

Protected Health Information

The ACO strives to maintain the confidentiality and security of all protected health information. Federal and state laws require us to maintain the privacy and security of patient health information (PHI) in all forms (e.g. paper, electronic, films, images and verbal). Federal and state laws require us to maintain the privacy and security of patient health information (PHI) in all forms (e.g. paper, electronic, films, images and verbal). Data should only be used in conjunction with the treatment, payment or operations and only the minimum amount of PHI necessary to perform those functions should be used. Any suspected breaches of PHI should immediately be reported to the Compliance Office.

The care of each member is a personal, confidential matter and protected health information (PHI) must not be discussed or disclosed to any unauthorized individual or in any other unauthorized fashion. An example of an intentional violation is researching, viewing and/or sharing PHI for personal use that is not related to performing work duties. Any employee discussing or revealing confidential information will be subject to appropriate corrective action, up to and including termination, and may also be subject personally to federal penalties or prosecution.

The ACO will also take reasonable steps to limit incidental uses and disclosure of PHI made according to an otherwise permitted or required use or disclosure such as: discouraging staff from discussing PHI anywhere except in a closed office; training staff and managers on importance of confidentiality when dealing with PHI; encouraging employees to follow up with health insurance carrier if they have questions about their own claims data and activity.

If an employee becomes aware of a non-permitted disclosure (i.e. breach) of PHI from a member, provider, or vendor, they should report it immediately to the Compliance and Integrity Department at <http://www.conehealth.ethicspoint.com>, or by contacting the compliance officer at 336-663-5125. The Compliance and Privacy Department has a process to respond to non-permitted disclosures and will usually request the recipient of disclosure to destroy the information.

Data Sharing

You are responsible for safeguarding ACO and member information. The ACO has controls in place to help mitigate the risk of unauthorized use and access to information, including protected health information. Be mindful of the information you have and use care with it. Apply the “minimally necessary” rule when accessing or providing personal health information. No employee or affiliate should ever discuss ACO business practices, clinical situations, physician practices, or employee performance in any situation in which they might be overheard inadvertently. Employees have the duty and responsibility to protect this information.

Retention of Records

Legal and regulatory practice require the retention of certain records for various periods of time, particularly in the tax, personnel, health and safety, environmental, contract, corporate, and government program areas. When litigation or a government investigation or audit is pending or reasonably foreseeable, however, no relevant records must be destroyed until the matter is closed, and this may include drafts and copies as well employee's notes and papers. Destruction of records to avoid disclosure in a legal proceeding may constitute a criminal offense. For all pertinent ACO records related to the contract during the contract term must be kept for up to 10 years from the final date of the contract period or longer if part of a regulatory investigation.

Contacts with Government Officials

Federal and state laws and regulations govern the Company's contacts with elected officials or their families. There are prohibitions on what can be offered by way of gifts, meals, entertainment, etc.

When interacting with government officials, cooperate fully and honestly with them in audits and inquiries. Always be truthful and accurate. Oral and documented representations made to the government must always be clear, accurate, complete, and not misleading.

Employees should consult with the Compliance and Integrity Department on issues that involve these officials.

Contacts with the Media

All media inquiries should be directed to the Triad HealthCare Network Compliance and Integrity Department. At no time should employees speak on the behalf of THN, Cone Health, or any other affiliates.

Training and Education

On an annual basis, all employees will be required to take mandatory training and complete the organizations Code of Conduct Attestation. Training includes, but is not limited to, Harassment, Privacy, Phishing Attacks, CMS Medicare Parts C & D General Compliance, and CMS Combating Medicare Parts C & D Fraud, Waste, and Abuse training.

Proper Accounting

The ACO maintains a system of internal controls that it believes provides reasonable assurance that transactions are executed in accordance with management's authorization and are properly recorded in accordance with appropriate accounting standards including written policies and procedures and examination by a professional staff of auditors. All employees are expected to adhere to these policies and to cooperate fully with internal and external auditor requests.

Conference and Seminars

The Company recognizes that employees may need to be provided the opportunity for professional development and to earn continuing educational credits to a degree or certification. The Company does not permit any outside entity or individual doing business with THN to pay for, or reimburse, a THN employee's expenses to attend a conference or seminar. Employee expenses may include their conference fees, airfare, lodging, meals, etc. THN may reimburse a vendor, business associate, or other entity with whom THN is doing business with expenses related to training and education on a THN purchased product or service. Outside entities wanting to do business with THN are prohibited from paying for THN employee expenses. An exception may be made for written contractual agreements or when speaking at a conference or seminar. Check with the Compliance and Privacy Department at 1-855-809-3042.

Use of ACO Assets

The ACO assets are to be used solely for the benefit of the ACO. Employees are responsible for assuring that ACO assets are used only for valid ACO purposes. ACO assets include equipment, inventory, corporate data, concepts, business strategies and plans, financial data and other information about ACO business. These assets may not be used to provide personal gain for employees or others. Employees may not transfer any ACO assets to other persons or entities, except in the ordinary course of business. In addition, employees are prohibited from using ACO assets to visit impermissible web sites, including gaming and pornography. Doing so could result in disciplinary actions up to and including immediate termination of employment.

Electronic Communications

The ACO's electronic communication system exists for the legitimate business of the ACO. Use of the electronic communication system is prohibited for purposes that are not for the legitimate business of the ACO. Incidental use of electronic communication systems for personal, non-business purposes is permitted in limited circumstances. Information on the systems is not private.

Electronic Mail (E-mail)

E-mail is a computer software application supplied to the ACO users as an aid to productivity and communication for business purposes. E-mail is intended only to benefit the ACO and, therefore, any e-mail failures will not give rise to damage claims by either ACO affiliates or third-party users. Using ACO e-mail, the affiliate or third party user acknowledges no right to a claim exists.

All electronic communications, whether sent within ACO or to persons outside ACO, should be courteous and professional in all respects and should not contain any statements that may violate ACO's harassment policies or that would embarrass the ACO, its affiliates, or its customers. E-mail storage is a limited resource and is not to be used as a permanent storage

facility. E-mails may be automatically purged from the e-mail system without notice to employees at intervals established by the ACO.

E-mail communications that are confidential or contain PHI are required to be encrypted by the employee. The ACO has a system readily available for all employees to encrypt emails on a case-by-case basis. Employees simply need to write "Secure" in the subject line of an email that contains confidential or PHI. Emails that are not encrypted and that contain PHI is a violation of ACO policy and could result in disciplinary action up to and including termination.

E-mail sent or received on ACO's network is neither private nor confidential. ACO reserves the following rights:

- To monitor all e-mail transmissions as needed to determine if e-mail is being used for other than legitimate business reasons and to protect the ACO against copyright infringement, loss of trade secrets, or other business policy violations.
- To record and disclose to others all electronic communications at any time, with or without notice. No employee or other user of the e-mail system has a privacy right in anything created, received, or sent on or from the e-mail system.

Under certain circumstances, it may be necessary for the ACO to review e-mail messages or logs. Such circumstances include, but are not limited to:

- Suspected violations of ACO policies or illegal activity.
- Litigation involving ACO that results in a subpoena for production of documents, including e-mail messages.
- Urgency in retrieving vital messages when an employee is not available to give his or her approval.
- Termination of employment.
- Upon request by a manager or supervisor.

As a result, all employees should exercise extreme caution before sending information through the e-mail system, as e-mail messages are not private and can be intercepted by other parties. E-mail users should be aware that e-mail messages can be monitored and recorded at any time and deleted e-mail may be restored. E-mail users should exercise extreme caution before sending e-mail messages to parties outside the ACO network; unless they are *encrypted*, such messages can be intercepted and read during transmission.

Copyright Materials

The ACO strictly adheres to all agreements regarding the use and distribution of copyrighted material. The e-mail system may not be used to share software, but it may be used to send files and information to authorized users in accordance with all such restrictions. ACO may be licensed for use of programs or material with restrictions not to copy or distribute under the penalty of law. It will be each person's responsibility to adhere to all copyright restrictions. No

software may be downloaded or installed without the prior knowledge and approval of the ACO. In addition, the illegal downloading and copying of copyrighted software and/or other copyrighted materials is prohibited. As a means of controlling Internet usage, the ACO has a computer system firewall which logs all Internet usage and content.

Social Media

We are committed to protecting privacy and maintaining an appropriate work environment. Use of social media should be consistent with all policies and procedures. We trust and expect you will use good professional judgement and personal responsibility at all times. This includes participation in social media, including activity during and off work time and /or off the premises. Make sure you know and follow the related policies regarding privacy and employee conduct; you do not post anything on social media in the name of the ACO without prior approval; and the equipment and work time should not be used to engage in personal social media activities. Use of ACO computer systems is not private. Employees should remember that how they portray themselves on social media (Facebook, Twitter, etc.) could often result in negative professional consequences. Employees should remember that they are an ambassador of the ACO and they should present their thoughts in a professional manner. Employees must not create a hostile work environment when engaging in social media. When expressing personal opinions the employee should be clear that their entries are their own and may not represent the views of the ACO. Employees should never disclose any ACO information, protected health information, or confidential or proprietary information on social media.

Employee Acknowledgment

The Code of Conduct is an overview of the laws and ACO policies that affect our jobs. It does not represent an employment contract or change the at-will nature of the employment relationship. If there is a conflict between the Code of Conduct and applicable law or a formal ACO policy, the actual law or policy will govern.

I have received and understand the content in the THN Code of Conduct. I agree to comply with the THN policies and procedures, and have been given the opportunity to ask questions about the applicable laws and regulations. Furthermore, I understand the obligation to report suspected or real compliance issues to a supervisor, human resources or the compliance officer, without fear of retaliation.

Date	
Employee Signature	
Employee Name (please print)	

Please complete, sign, and return to:

Sharon Kasica

Chief Compliance Officer

300 East Wendover Ave.

Greensboro, NC 27401

Sharon.kasica@conehealth.com

336-663-5125

Practice Acknowledgment

The Code of Conduct is an overview of the laws and ACO policies that affect our jobs. It does not represent an employment contract or change the at-will nature of the employment relationship. If there is a conflict between the Code of Conduct and applicable law or a formal ACO policy, the actual law or policy will govern.

The THN Code of Conduct has been shared with the THN Participants in the practice. The THN Participants understand the content and their obligation to comply with the THN Code of Conduct. The THN Participants in the practice agree to follow the NGACO's policies and procedures, and have been given the opportunity to ask questions about applicable the laws and regulations. Furthermore, the providers understand their obligation to report suspected or real compliance issues to a supervisor, human resources or the compliance officer.

Date	
Practice Designee Signature	
Practice Designee Name (please print)	

Please complete, sign, and return to:
Sharon Kasica
Chief Compliance Officer
300 East Wendover Ave.
Greensboro, NC 27401
Sharon.kasica@conehealth.com
336-663-5125