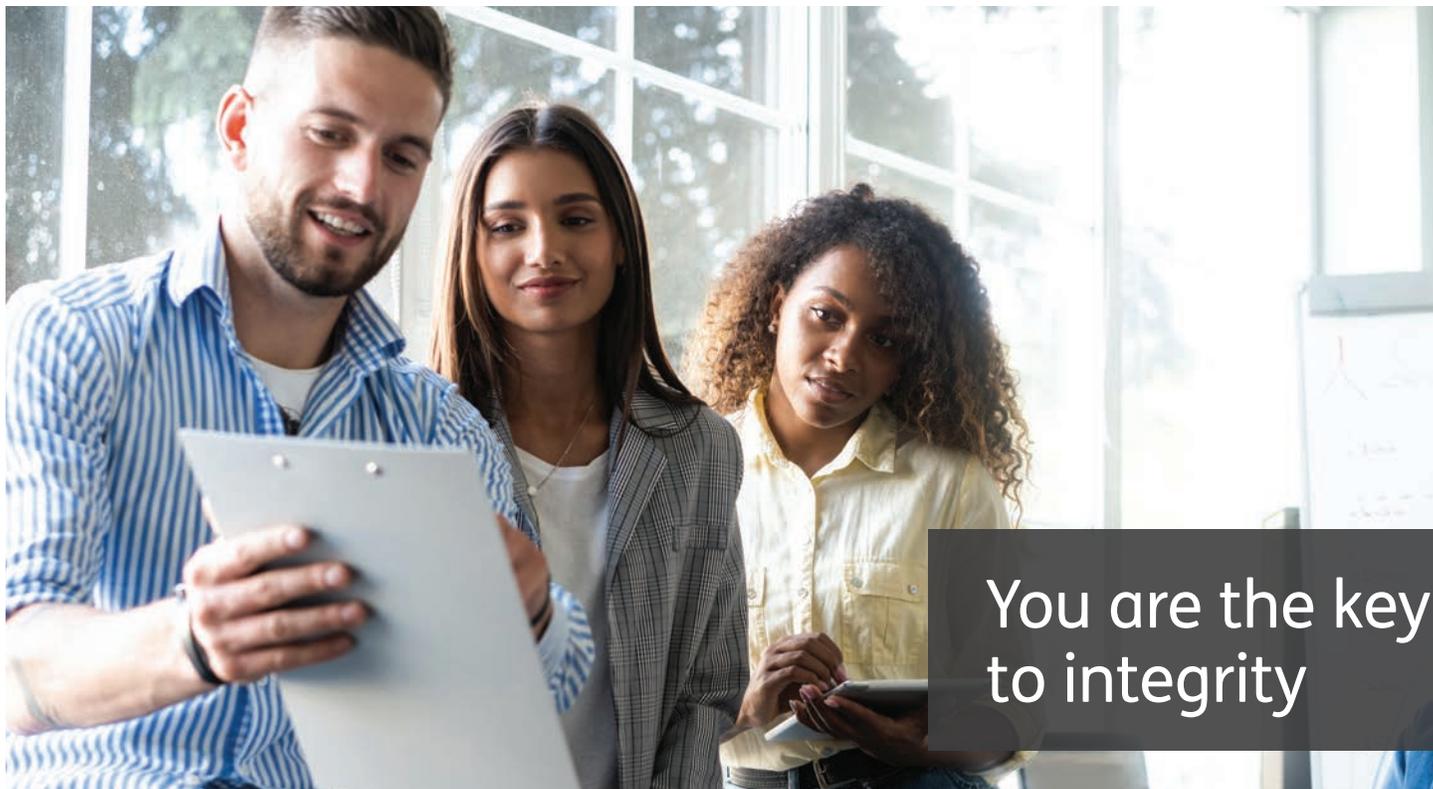


# Ethics Every Day

for Contracted Healthcare Providers and Third Parties

Effective January 2020



You are the key  
to integrity



This document is reviewed annually and contains updates to the 2019 version.

It is important that you read this and, if you're an administrator, provide this publication or an updated, materially similar document to all employees and third parties who support Humana's Medicare and/or Medicaid products as part of our relationship.

## You have help

From your manager, your organization, Humana and the Ethics Help Line, **1-877-5-THE-KEY**, you have the support you need if you encounter sticky situations.

## You know what to do

The guidelines in this book, along with Humana's policies and resources, help you understand and follow the rules.

## You are safe from retaliation

When you suspect a violation, you know you will not get in trouble for speaking up.

**Humana**<sup>®</sup>

# We are all the key to integrity



## Humana's dream is underscored by Humana's values

- Inspire health
- Cultivate uniqueness
- Rethink routine
- Pioneer simplicity
- Thrive together

We encourage your organization to consider these perspectives in its approach to the ongoing fulfillment of obligations to Humana.

Dear partner in ethics and compliance,

We appreciate all you do to maintain the highest ethical standards in your business interactions. Your actions enable us to do the same, while also contributing to our combined success.

Humana's dream is to help people achieve lifelong well-being. Part of realizing that dream is a steadfast commitment to achieve the highest ethical standards, something we have been doing for more than 50 years. The values and ethical principles we share help us deliver a perfect experience. It takes all of us working together, living our values, taking ownership of our actions, and following state and federal legal requirements that govern our industry to create that perfect experience.

In this spirit, we offer you, your employees and contracted third parties an important part of our Enterprise Compliance Program: Ethics Every Day for Contracted Healthcare Providers and Third Parties. This document outlines our program's standards of conduct requirements for you.

Our Enterprise Compliance Program will help you with questions or concerns. If you prefer, you can reach out to your leader, another leader outside your team or the independently staffed Ethics Help Line (**1-877-5-THE-KEY** or [www.ethicshelpline.com](http://www.ethicshelpline.com)).

Thank you for your ongoing efforts. When we do the right thing in the right way for the right reasons, we thrive together.

Sincerely,



Kurt J. Hilzinger  
Chairman of the Board



Bruce Broussard  
President and  
Chief Executive Officer



Sean J. O'Reilly  
Chief Compliance Officer,  
Medicare-Medicaid  
Compliance Officer

# Staying on track

## Key requirements

The locations of the key requirements from each section of this document are listed below.

You are required to	Where addressed
Make ethical decisions	5
Report suspected noncompliance with the Standards of Conduct or any applicable law or regulation	5, 6, 7
Be familiar with the concepts of fraud, waste and abuse (FWA)	8
Not make business decisions motivated by personal considerations or relationships	9
Refrain from discussing, giving or offering anything of value, including employment, to anyone on Humana's behalf, unless permitted by law or Humana policy	9
Treat Humana customers with respect and make every effort to protect their health, safety and welfare	10
Not intimidate or retaliate against anyone you interact with in performing your role for Humana	11
Protect beneficiary, member and Humana information	12
Follow all applicable laws, rules and regulations	13
Those in a leadership role also are required to	
Foster an ethical and compliant culture	5
Not employ or contract with ineligible parties	8
Violations	
Suspected violations will be investigated	11
Disciplinary actions will be taken when violations occur	11

## Notable changes (with page numbers)

This overview has been provided to list the key points of notable changes and the sections in which they are detailed. Page numbers have changed throughout the entire document.

### Third Parties (throughout)

The term business partners has been replaced by third parties.

### Ineligible Parties (8)

Clarified that the System for Award Management (SAM) is the General Services Administration's (GSA) exclusion list.

### Gifts, favors, job opportunities and entertainment (9)

Clarified gift limits pertaining to Medicare or Medicaid beneficiaries.

### Contracting obligations (13)

Clarified that there are requirements around offshoring work in support of a Humana's contract, and Humana's approval is required before any offshore arrangements are executed or changed. Additional information is contained in Humana's Compliance Policy for Contracted Healthcare Providers and Third Parties.

# Table of contents

<b>Our expectations</b>	<b>5</b>
<ul style="list-style-type: none"><li>• Who should read this document</li><li>• Our principles</li><li>• Keep in mind</li><li>• Leaders' responsibility</li></ul>	
<b>You know what to do</b>	<b>6</b>
<b>You have help</b>	<b>7</b>
<ul style="list-style-type: none"><li>• Resources</li><li>• Privacy or security breaches</li></ul>	
<b>Fraud, waste and abuse</b>	<b>8</b>
<ul style="list-style-type: none"><li>• Requirement to report FWA</li></ul>	
<b>Ineligible parties</b>	<b>8</b>
<b>Conflicts of interest</b>	<b>9</b>
<ul style="list-style-type: none"><li>• Possible conflicts of interest</li></ul>	
<b>Gifts, favors, job opportunities and entertainment</b>	<b>9</b>
<b>Working with Humana customers</b>	<b>10</b>
<ul style="list-style-type: none"><li>• Cultural competency</li><li>• Safety and welfare</li><li>• Reporting suspected abuse, neglect or exploitation</li></ul>	
<b>You am safe from retaliation</b>	<b>11</b>
<ul style="list-style-type: none"><li>• Investigation of suspected violations</li></ul>	
<b>Disciplinary standards</b>	<b>11</b>
<b>Handling of information</b>	<b>12</b>
<b>Foundation for approach to business</b>	<b>13</b>
<ul style="list-style-type: none"><li>• Overview</li><li>• Environmental commitment</li></ul>	
<b>Index</b>	<b>14</b>

Humana is ultimately responsible for ensuring the actions of those who support Humana business, including contracted healthcare providers and third parties, are compliant with applicable laws, rules and regulations.

## KEY TERMS

You will see the terms below throughout this document, and they are defined as follows:

**Associate** – A Humana employee.

**Compliance Policy** – The Compliance Policy for Contracted Healthcare Providers and Third Parties, a detailed listing of Humana's compliance requirements for healthcare providers and third parties and how to meet them, along with overviews of, and links to, resources and applicable laws and regulations.

**Healthcare providers and third parties** – Any non-associate contracted, directly or indirectly, to perform a business function or provide goods or a service for or on Humana's behalf. These may also be referred to as first-tier, downstream and related entities (FDRs). Some examples of third parties are delegated and nondelegated healthcare providers, delegated entities, pharmacies, sales agents, sales agencies, vendors, suppliers, contractors and delegates.

- Vendors and suppliers of administrative goods and services are considered third parties.

**Humana (or the company)** – Refers to Humana Inc. and its wholly owned subsidiaries.

## TERMS SPECIFIC TO FRAUD, WASTE AND ABUSE (FWA):

**Abuse** – Includes any action(s) that may, directly or indirectly, result in one or more of the following:

- Unnecessary costs to the healthcare system, including the Medicare and Medicaid programs
- Improper payment
- Payment for services that fail to meet professionally recognized standards of care
- Services that are medically unnecessary

Abuse involves payment for items or services when there is no legal entitlement to that payment and the entity supporting Humana (e.g., a healthcare provider or supplier) has not knowingly and/or intentionally misrepresented facts to obtain payment.

Abuse cannot always be easily identified, because what is "abuse" vs. "fraud" depends on specific facts and circumstances, intent and prior knowledge, and available evidence, among other factors.

**Fraud** – Knowingly and willfully executing, or attempting to execute, a scheme or artifice to defraud any healthcare 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 healthcare benefit program (18 U.S.C. § 1347).

**Waste** – Overutilization of services or other practices that, directly or indirectly, results in unnecessary costs to the healthcare system, including the Medicare and Medicaid programs. Waste is not generally considered to be caused by criminally negligent actions, but by the misuse of resources.

# Our expectations



These principles are intended as guides that reflect the collective good judgment and common sense of us all, not a comprehensive set of rules or legal advice.

**Q: What should I do if my supervisor or manager asks me to do something I think violates this document or related policies or is illegal?**

A: Immediately report the request to a level of management above your supervisor or manager, Humana's Ethics Office or the Ethics Help Line. The matter will be investigated promptly so you receive proper guidance.



## The bottom line

Leaders must foster an ethical and compliant culture.

## Who should read this document

This document is for everyone who performs a business function or provides a service for or on our behalf. It is not limited to those who define themselves as healthcare providers or third parties, but includes their employed and contracted staff and organizations serving them.

## Our principles

This document is closely aligned to the standards of conduct (Ethics Every Day) distributed to associates and is publicly available here:

<https://humana.gcs-web.com/static-files/20c242ce-6371-4df5-b364-46919b6a33a1>

Both versions reaffirm our commitment to integrity as the cornerstone of behavior for anyone who acts on our behalf—a member of the board of directors, the CEO, a part-time temporary worker, etc.—regardless of whether the person is an employee.

The guidelines in this document are meant to help all of us better understand what we believe to be in the best interest of our constituencies, including customers, members, patients, clients, associates, shareholders, those with whom we do business and the public at large. As a result, we will provide value, service and guidance to become the role model for the healthcare industry.

Therefore, it's important to conduct ourselves in an ethical, legal and above-board manner. The quality of healthcare providers' and third parties' products and services affects the quality of Humana's products and services.

Understanding this commitment and willingness to raise ethical concerns are essential to the well-being of Humana's customers, members, patients and clients, as well as the success of both your organization and Humana.

## Keep in mind

No matter what the situation:

- Remember the ripple effect—your actions have an impact on everyone around you.
- Don't forget it's OK to ask—if something doesn't feel right, use the resources identified in this policy to share your concerns.

Our ethical principles are the framework for the Compliance Policy, which also integrates requirements outlined in the Medicare Managed Care Manual, Chapter 21, and Prescription Drug Benefit Manual, Chapter 9 guidelines published by the Centers for Medicare & Medicaid Services (CMS). Please refer to the Compliance Policy for how to align ethical behavior with compliance requirements.

## Leaders' responsibility

We expect leaders to set the example:

- Provide sufficient information to those supporting your organization to comply with laws, rules and regulations to meet obligations to Humana.
- Foster a culture that encourages everyone to communicate concerns when they arise.
- Never sacrifice ethical and compliant behavior in the pursuit of business objectives.
- Have business ethics requirements for your organization, including a formal program for ethics, compliance and ongoing related training; you also may adopt this document.

# You know what to do

## Four powerful principles steer us away from mistakes we never intended to make

- 1. Honesty and respect to all.** Act fairly and honestly with those who are affected by your actions, and respect and value those you serve by treating them the way you and they would want to be treated.
- 2. Compliance with laws and focus on quality.** Comply not only with the letter of all applicable laws, regulations and regulatory guidance, but also with the spirit of the law, regulation or regulatory guidance. Act in such a manner that the full disclosure of all facts related to any activity would reflect favorably on the company or you. Ensure everything is done right the first time and every time.
- 3. Responsibility for actions.** Adhere to the highest ethical standards of conduct in all business activities and act in a manner that enhances Humana's standing as a corporate citizen and ethical competitor within the business community. Pursue no business opportunity that requires violation of these principles. Communicate openly, place customers' needs first and act appropriately, according to Humana's values.
- 4. Responsibility for reporting violations.** All of us are responsible for reporting suspected ethical or compliance violations and issues. Humana promotes relationships based on mutual trust and respect and provides an environment in which a company practice can be questioned without fear of adverse consequences.

It is important to report to Humana any questionable activity because ethical violations are not always the result of an intentional disregard of ethical standards.

## Questions to ask yourself

If you're confronted with a situation that you're unsure how to handle, use these questions to guide your actions:

- Am I following approved company practices?
- Am I causing harm to someone?
- Can I defend my actions to my leader, co-workers, associates and the public?
- Am I appropriately protecting information about the company from disclosure to external or internal parties?
- Am I protecting the information of our customers, members, patients, clients, associates and shareholders?
- Am I living up to my personal code of behavior?
- Will my actions give the appearance of being illegal or unethical?
- Will my actions bring discredit to any co-workers, associates or the company if disclosed to the public?

### Phrases you hear, read or think may signal a problem

"It's just between you and me ..."

"Well, maybe just this once ..."

"Nobody will ever know."

"It doesn't matter how it gets done as long as it gets done."

"Everyone does it."

"What's in it for me?"

"Don't contact the Ethics Help Line."

"Remember, we didn't have this conversation."

"If they don't ask, don't tell."



### The bottom line

You must make ethical decisions and report suspected noncompliance.

# You have help



You can choose the option you feel most comfortable using.



## The bottom line

You must report suspected noncompliance.

### **An abundance of resources is available to make you feel comfortable speaking up.**

Sometimes it's hard to report concerns or admit you don't know something. That's why Humana makes it easy to be heard.

## Resources

For raising issues, asking questions and reporting suspected violations:

- **Leader:** Ask your leader for advice.
- **Other leadership:** Speak to the next level of leadership.
- **Humana's Ethics Office:** Contact via email at [ethics@humana.com](mailto:ethics@humana.com).
- **Ethics Help Line: Call 1-877-5-THE-KEY (1-877-584-3539)** or visit [www.ethicshelpline.com](http://www.ethicshelpline.com).
  - Available 24 hours a day, seven days a week.
  - Calls are confidential and can be made anonymously.
  - Calls will not be traced or otherwise identified.
  - Staffed by trained, external non-Humana representatives.
  - Reports are documented and forwarded to Humana's Ethics Office for review and determination of action, including referrals to internal departments for investigation.
- **Special investigations referral:** Report suspected incidents of fraud, waste and abuse to SIU: **1-800-614-4126**, [siureferrals@humana.com](mailto:siureferrals@humana.com), fax **1-920-339-3613** or contact the Ethics Help Line.

## Privacy or security breaches\*

A Humana third party with a signed Business Associate Agreement with Humana who identifies improper disclosure of or access to information or systems related to Humana, including, but not limited to, beneficiary or member information, must report it to Humana within five days of discovery. All information that should be included in the breach report is outlined in the Business Associate Agreement.

### **Mail**

Humana Inc.  
Privacy Office  
500 W. Main St.  
Louisville, KY 40202

### **Fax**

**1-502-508-3700**

### **Email**

**[privacyoffice@humana.com](mailto:privacyoffice@humana.com)**

\*Due to the nature of these issues, reporting them anonymously is not an option.

# Fraud, waste and abuse (FWA)

The detection, correction and prevention of FWA is essential to maintaining a healthcare system that is affordable for everyone. State and federal law enforcement agencies are increasingly focused on investigating healthcare FWA.

## Examples of FWA include but are not limited to:

- Defrauding or attempting to defraud the healthcare system
- Lying, using false pretenses or making false statements or promises to get money from the healthcare system
- Using the identifying information of another person to defraud the healthcare system
- Misusing resources or services, which results in unnecessary costs to the healthcare system
- Providing inaccurate diagnosis codes to Humana
- Taking any action that leads to a payment from the healthcare system that is improper, for substandard care or for medically unnecessary services

Even if you don't intentionally lie or misrepresent facts, you still could be committing fraud, waste and abuse if you are paid by the healthcare system but are not actually entitled to the money.

## Requirement to report FWA

Everyone who performs a function that in some way supports Humana business is required to report suspected FWA to one of the designated contacts in the "You have help" section on the previous page.

**Humana has zero tolerance for any activity that constitutes fraud, waste or abuse.**

For more information on FWA, including applicable government regulations, refer to Humana's Compliance Policy.



## The bottom line

You must be familiar with FWA concepts.

# Ineligible parties

The government requires us to refrain from contracting with or employing those who have engaged in certain types of activities. Such parties include healthcare providers and third parties, their employees and those they contract with to perform functions to meet obligations to Humana that have been or are:

- Convicted of a criminal offense related to healthcare
- Listed as excluded or otherwise ineligible for participation in federal healthcare programs\*
- Identified and listed on the Executive Order 13224 – Blocking Property and Prohibiting Transactions with Persons Who Commit, Threaten to Commit, or Support Terrorism
- Listed on either the Department of Health and Human Services' Office of Inspector General or the General Services Administration System for Award Management exclusion list\*
- Convicted of any felony involving dishonesty or a breach of trust (Violent Crime Control and Law Enforcement Act of 1994)

These individuals, their employees and those with whom they contract to perform functions to meet obligations to Humana are ineligible for any contractual relationship with Humana.

\*There may be instances where some person or entity was previously listed as excluded, but that status has been removed. In such a case, Humana should be contacted so it can determine whether the involved party(ies) may support Humana.



## The bottom line

Those in leadership roles must not employ or contract with ineligible parties.

# Conflicts of interest

Having a conflict of interest is not necessarily a violation of this document, but failing to disclose the conflict to your organization is a violation. Humana's healthcare providers and third parties must have a policy and procedure in place for those supporting them to disclose any conflicts of interest that could impact support of Humana. Information on conflicts must be collected annually and if their status changes. Also, the corresponding policy/procedure must outline how conflicts are addressed. If you are unsure if a relationship is a potential conflict of interest, you should disclose it so that it can be evaluated.

## Possible conflicts of interest

Personal, familial or business relationships that could interfere with your organization's ability to meet contractual obligations to Humana may be conflicts of interest.

Additionally, Humana associates must not engage in activities that compete with any of Humana's lines of business nor invest in entities they select, manage or evaluate as an entity supporting Humana. Healthcare providers and third parties must be sensitive to these relationships and avoid creating situations that could encourage a Humana associate to violate these policies.

A good general rule is to avoid any action or association that would be embarrassing to you, your organization or Humana if it were disclosed to the public, or that would be perceived as a potential conflict of interest or appear improper.



### The bottom line

You must not make business decisions motivated by personal considerations or relationships.

# Gifts, favors, job opportunities and entertainment

## Healthcare providers and third parties:

- Should never offer or provide, directly or indirectly, anything of value—such as a job, cash, bribes or kickbacks—to any Humana associate, representative, customer or government employee.
- Are expected to understand Humana's business entertainment policies before offering or providing any Humana associate or representative any business entertainment. Business entertainment should never be offered to a Humana associate or representative under circumstances that create an appearance of impropriety.

Accepting or giving gifts, favors, travel and entertainment may create a conflict of interest with your obligations to Humana and may constitute a violation of law.

Gift giving or receiving that involves healthcare providers or third parties is limited to \$50 fair market value or less in a year. Giving gifts to Medicare or Medicaid beneficiaries has stricter guidelines and limitations outlined in Humana policies. This also includes, but is not limited to, meals, favors, travel, tickets or entertainment, prizes, drawings, raffle winnings, gratuities and awards. These policies incorporate government restrictions.

Please refer to the Compliance Policy for anti-kickback and anti-inducement provisions that outline the kinds of items that can be given away, their value limits and to whom.

Email the Ethics Office at [ethics@humana.com](mailto:ethics@humana.com) with questions about gift cards and gift limits, including on a state or local level.

## Gifts of money or cash equivalent are never permissible.

The Foreign Corrupt Practices Act (FCPA) and other applicable anti-corruption laws prohibit giving any type of gift, payment, entertainment, gratuity or anything of value to a foreign official, political candidate, political party, party official, public international organization, their employees or their representatives for the purpose of obtaining, retaining or directing their business to any person for the purpose of influencing an official act or decision or securing an improper advantage.



### The bottom line

You must refrain from discussing, giving or offering anything of value, including employment, to anyone on Humana's behalf, unless permitted by law or Humana policy.

# Working with Humana customers



Questions about Humana's cultural competency plan, Humana's expectations and requests for copies of the plan may be directed to:

Civil Rights/American with Disabilities Act (ADA)/Limited English Proficiency (LEP)/Section 1557/Non-Discrimination Compliance Officer:

**Steve Amshoff**  
**1-877-320-1235 (toll-free)**  
– Option 1 for English  
– Option 2 for Spanish  
**accessibility@humana.com**



## The bottom line

You must treat Humana customers with respect and make every effort to protect their health, safety and welfare

## Cultural competency

Healthcare providers and third parties who interact with Humana customers, including beneficiaries, must do so in a culturally competent manner. This expectation also applies to those who both support healthcare providers and/or other third parties and interact with Humana customers, including beneficiaries. Meeting this requirement includes:

- Understanding cultural differences and economic disparities in the populations you work with as part of your responsibilities to Humana
- Being knowledgeable about how to work with people from a variety of cultural and economic backgrounds and sensitive to any ongoing clinical challenges that may be in addition to the reason for their seeking treatment or guidance
- Being aware of your own cultural biases

If your organization needs access to interpretation services for Humana beneficiaries to perform a function for Humana, either call Humana or request the member provide your organization with the phone number listed on the back of the member's Humana identification card.

## Safety and welfare

Healthcare providers and third parties must make every effort to protect the health, safety and welfare of the customer. This includes being aware of the signs and symptoms of the following:

- **Abuse** – e.g., physical, sexual or emotional
- **Neglect** – e.g., conduct that could or does result in serious physical or emotional injury
- **Exploitation** – e.g., use of a position of trust to knowingly deceive or intimidate, or deprive of resources, funds or assets

Certain populations, such as the elderly and disabled, are at increased risk for these situations.

## Reporting suspected abuse, neglect or exploitation

If a Humana customer is ever in immediate danger, call 911 or local police. States may require you to immediately report suspected abuse, neglect and exploitation directly to the appropriate state agency(ies). Additionally, any signs of the above must be reported to the Humana care manager, who will determine the appropriate next steps.

If there is no corresponding care manager, report the concern(s) to the Ethics Help Line via one of the options outlined on Page 2.

# You are safe from retaliation

We strictly prohibit intimidation and/or retaliation against any associate or healthcare provider or third party who, in good faith:

- Reports an actual or suspected violation of ethical standards, Humana policies or procedures and applicable laws, rules or regulations

**or**

- Participates in the investigation of a suspected or detected violation

If you suspect such behavior, you must report it to the Ethics Help Line. Contact information is on Page 7.

## Investigation of suspected violations

Humana promptly investigates any reported issues suspected of being violations of this document, Humana policies or procedures, or applicable laws, rules or regulations. All reported issues are treated as confidentially as possible, yet you may be contacted to provide additional information if you provided your name at the time of reporting. If contacted, you are expected to cooperate fully in any investigation of an alleged violation. If you want to remain anonymous when reporting an issue, please provide as much information as possible, at the time of reporting, to allow Humana to thoroughly investigate the issue.

When Humana determines it is appropriate, Humana will report any violations of the requirements in this document or Humana policies, Medicare program noncompliance, Medicaid program noncompliance, violations of law, criminal misconduct, any instances of abuse, neglect or exploitation, or FWA to the Centers for Medicare & Medicaid Services (CMS), CMS designees, other regulatory agencies, including state Medicaid agencies and/or law enforcement, as applicable.



### The bottom line

You must not intimidate or retaliate against anyone you interact with in performing your role for Humana. Suspected violations will be investigated.

# Disciplinary standards

Violation of this document and other policies and procedures could compromise Humana's integrity and reputation, and result in criminal or monetary penalties or disciplinary action. This disciplinary action may include, but is not limited to, retraining, issuance of a corrective action plan that is tracked to closure or termination of your organization's contract and, based on the violation, the matter being reported to the appropriate authorities.

Healthcare providers and third parties should promptly take appropriate disciplinary actions for employees and third parties found to be in violation, up to and including termination of contract or employment, and report such action to Humana. Humana may take additional action if deemed necessary.

### Examples of conduct that may result in disciplinary action

- Authorization of or participation in actions that violate this document or Humana policies
- Failure to report a suspected violation of this document or Humana policies
- Refusal to report a suspected violation of this document or Humana policies
- Refusal to cooperate in an investigation of an alleged violation of this document or Humana policies
- Failure by a violator's supervisor or manager to detect and report a violation of this document or Humana policies, if such failure reflects inadequate supervision or lack of oversight
- Intimidation of, or retaliation against, an individual for reporting or participating in the investigation of a violation or suspected violation of this document or Humana policies
- Intentionally making a false accusation



### The bottom line

Disciplinary actions will be taken when violations occur.

# Handling of information



Links to referenced government regulations are in the Compliance Policy.

For those who have a Business Associate Agreement (BAA) with Humana, please refer to the separate **Humana Privacy and Security Policy Guidance** document that is provided with the BAA for more information on this topic.



## The bottom line

You must assure the proper handling of information while performing a function for or related to Humana.

There are different types of information, such as company vs. personal, and requirements specific to each type exist, based on whether it is public, internal, restricted or confidential. For every type, handling of information while performing functions for or related to Humana must uphold trust in Humana by assuring the following, as applicable to the type of information involved:

**Accuracy:** Providing accurate and truthful information in any transaction is required.

- Of particular note, healthcare providers are responsible for submitting truthful, complete and accurate risk adjustment data to Humana, along with appropriately documenting diagnoses in the medical record.
- If asked, healthcare providers and third parties have an obligation to provide accurate and complete information to auditors about the status of financial, operational and compliance risks and controls related to their business with Humana.

**Privacy:** Disclosing beneficiary and member information only on a need-to-know basis.

- This includes following the privacy rules of the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

**Security:** The Health Information Technology for Economics and Clinical Health Act (HITECH) clarifies how to secure protected health information appropriately from an information technology perspective, while organizational policies and processes need to be in place to assure information is properly stored, transferred or discarded, if retention requirements have been satisfied.

## Policies and procedures

Humana has internal controls and procedures designed to direct and track proper storage and disclosure of information, as well as detect and prevent, report, investigate and track inappropriate usage and disclosure of information, as well as illegal activities.

Healthcare providers and third parties are expected to have measures in place to affirm sufficient handling of information. A few examples are:

- Privacy and security training program for employees and third parties
- Confidentiality agreements, where applicable
- A procedure for the required return/destruction of protected health information (PHI) if an agreement involving the support of Humana is terminated
- A procedure for restricting the marketing of PHI

## Information disclosure

Humana's written approval must be acquired by organizations designated as business associates before any confidential Humana information may be provided to any contractor, including a subcontractor and independent contractor, outside of the United States. Unauthorized disclosure of, or access to, confidential information, within or outside of an organization, may result in termination of contract and also may result in civil and criminal penalties.

## Your concerns

Healthcare providers and third parties, or those who perform functions for them, who question the handling of any information, or believe they have been asked to withhold information from auditors, are required to immediately call the Ethics Help Line at **1-877-5-THE-KEY** or report their concern at **[www.ethicshelpline.com](http://www.ethicshelpline.com)**.

## Reporting a privacy or security breach

Guidance for how to report a privacy or security breach is outlined in the "You have help" section on Page 7.

# Foundation for approach to business

Humana's Compliance Policy provides more information on applicable laws and regulations that impact the relationship that your organization and you have with Humana.

Direct clarification requests to:  
[compliance@humana.com](mailto:compliance@humana.com)

## Corporate social responsibility

Our proactive commitment extends beyond compliance, as we are dedicated to making business decisions to improve the health and well-being of our members, our associates, the communities we serve and our planet.

For more information:  
[Humana.com/about/corporate](https://www.humana.com/about/corporate)



### The bottom line

You must follow all applicable laws, rules and regulations.

## Overview

Humana's approach to business starts with laws and regulations. Those that impact Humana's operations are ones you and your organization should be familiar with to sufficiently fulfill contractual obligations to Humana. Examples of such laws and regulations include, but are not limited to, these topics:

- Prohibitions on:
  - Inducing referrals or recommendations related to an item, service or plan enrollment paid for in whole or in part under a federal or state healthcare program. This could take many forms, such as gifts, rebates, etc.
  - Filing or conspiring to file false claims.
  - Retaliating against someone who reports suspected misconduct.
  - Improperly using cash value options of a covered product to facilitate money laundering or finance terrorist activity.
- Requirements and restrictions regarding:
  - Doing business with the government, accrediting agencies, and foreign governments, contractors or consultants.
  - Receiving contractor bid or proposal information that would give Humana an unfair competitive advantage.
  - Giving, discussing or offering anything of value, including employment, to a procurement official.

Healthcare providers and third parties, their employees and those they contract to perform functions to meet obligations to Humana must never:

- Destroy or alter any document or record in anticipation of a request for the document or record by a government agency or court.
- Lie or make false or misleading statements to any government investigator.
- Persuade or attempt to persuade anyone to provide false or misleading information to a government investigator.

Humana's policy is to avoid even the appearance of impropriety. Related violations committed by healthcare providers, their employees or those they contract to perform functions to meet obligations to Humana could be punishable by fines and imprisonment, loss of government contracts and/or suspension or exclusion from participating in federal procurement opportunities.

## Contracting obligations

Humana must be notified prior to you or your organization subcontracting any work in support of Humana, regardless of whether the proposed work is to be performed on or offshore. Written agreements must be maintained with any subcontractors supporting functions the contracted healthcare provider or third party is contracted to perform for Humana.

**Note:** There are specific Medicare and Medicaid requirements around performing work offshore to support a Humana contract. Humana's approval is required before any offshore arrangements are executed or changed. For additional information, please refer to the Compliance Policy for Contracted Healthcare Providers and Third Parties.

## Environmental commitment

Humana is committed to conducting its business operations in an environmentally responsible manner and in compliance with all applicable laws and regulations. Your organization is expected to support this commitment by:

- Operating in full compliance with both the letter and spirit of environmental, health and safety laws and regulations applicable to your business(es), including the integration of sound environmental, health and safety practices into your everyday activities.
- Reporting any environmental, health and safety concerns in connection with your Humana business dealings.
- Identifying opportunities to improve your environmental, health and safety programs.
- Implementing emergency preparedness plans, if necessary.

# Index

## A

Abuse (of Humana customers)	10
Accurate and truthful information	12
Anti-kickback and anti-inducement statutes	9
Anti-money laundering	13

## B

Breach	7, 8, 12
--------	----------

## C

Chief compliance officer	2
CMS	5, 8, 10
Confidentiality agreements	12
Confidential, reporting of ethics violations	7, 10, 12
Conflict of interest	9
Cultural competency	10

## D

Disciplinary	11
Disclosure	6, 12

## E

Entertainment	9
Environmental responsibility	13
Ethical principles	2, 5
Ethics Help Line	5, 7, 10, 12
Ethics Office	5, 7, 9
Ethics violations	
failure to report	11
investigation of	7, 10, 11
reporting of	6, 7, 10, 12, 13

## F

False accusation	11
False claims	13
Favors	9
Foreign Corrupt Practices Act	9
Foreign governments, contractors or consultants	13
Fraud, waste and abuse	3, 4, 7, 8

## G

Gifts, favors, job opportunities and entertainment	9, 13
Government	8, 9, 13

## H

Handling of information	12
Humana's ethical principles	2, 5
Humana's leaders' responsibilities	1, 4

## I

Information	
accuracy	12
privacy	12
security	12
Intimidate/Intimidation	3, 10, 11
Investigation of violations	10

## M

Medicare	5, 8, 9, 10
----------	-------------

## N

Neglect (of Humana customers)	10
Notable changes	3

## P

Privacy or security violations	7, 12
Prohibition on retaliation	11

## R

Reporting suspected ethics violations	6, 10
Retaliation/retaliating	10, 13

## S

Safety and welfare (of Humana customers)	10
Security or privacy violations	12

The information disclosed in this document, including all designs and related materials, is the valuable property of Humana Inc. and its affiliates. Humana reserves all copyright, patent and other proprietary rights to this document, including all design, manufacturing, reproduction, use and sales rights thereto, except to the extent such rights are expressly granted to others. Except for your organization's internal use, which includes training entities downstream from Humana, reproduction of this document or portions thereof without prior written approval of Humana is prohibited.

We thrive together



**We stay** in the know and understand the consequences of our actions.  
**We expect** our leaders to set the example.

**Humana**®

LC3027ALL1019-A GHHH7HAHH