

# Advantage Dental

## From DentaQuest

<b>Policy Name:</b> Code of Conduct and Ethics	<b>Policy Number:</b> CP02-Code of Conduct-CARE
<b>Type of Policy:</b> Care Delivery Compliance	<b>Effective Date:</b> 8/9/2018
<b>Responsible Department:</b> Compliance Department	
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<b>Approved By:</b> Compliance Committee	<b>Approved Date:</b> 8/9/2018
<p><b>PURPOSE:</b> The Code of Conduct &amp; Ethics Policy sets out responsibilities and rights of all personnel and serves as the vehicle for establishing general compliance standards that guide operations.</p>	
<p><b>DEFINITIONS:</b>  <b>Advantage:</b> This term refers to Advantage organizations, Advantage Community Holding and all of its subsidiary entities including, Advantage Care Group.   <b>Confidential Information:</b> data that the company, our clients, other companies, or other persons believe to be proprietary, private or sensitive and to which Advantage has a duty to protect. Confidential information includes but is not limited to the following: 1) Patients (e.g., patient financial information, protected health information, or personally identifiable information etc.); 2) Workforce members (e.g., salaries, employment records, disciplinary actions, etc.); and 3) Company business (e.g., financial and statistical records, strategic plans, internal reports or memos, policies, procedures, agreements and contracts, communications, source code, etc.).   <b>Personnel:</b> The term “Personnel” includes employees, independent contractors, Board of Director members, governing bodies, officers, employee subcontractors, consultants, and First Tier, Downstream and Related Entities (“FDRs”) (if applicable) of Advantage.</p>	
<p><b>POLICY:</b> Advantage is committed to full compliance with all statutes, regulations and guidelines applicable to commercial, federal, state, health Plan programs or employment law. The Code of Conduct and Ethics guides the organization’s actions, decisions and operations by laying out the standards to behave in an ethical manner.  There are several state and federal laws and regulations that may impact our organizations. Each of the listed laws is the obligation of all personnel to act honestly and in good faith with the government, the payors, the enrollees, the providers, and their coworkers. It is the duty of all personnel to take affirmative steps to avoid and detect activities which may be dishonest, deceitful, fraudulent, or otherwise involve theft or ill-gotten gains.</p>	

This policy shall apply to all Advantage personnel, vendors and any others having access to or using resources of Advantage practices. Advantage will make the Code of Conduct and Ethics available to all personnel through the following ways:

1. The Code of Conduct is posted and available on the Advantage Intranet for all employees to review and download.
2. On an annual basis, subcontractors and providers will be provided a copy of the Code of Conduct and Ethics policy and are required to attest to either having comparable documentation or complying with the Advantage Code of Conduct and Ethics.
3. The Code of Conduct will be reviewed, and revised as necessary, by Compliance.

All personnel are required to follow all obligations and standards outlined in the Code of Conduct & Ethics. Personnel are required to protect Advantage resources by implementing recognized best practices and performing their job functions in an ethical manner.

Advantage is dedicated to demonstrating a commitment to honest and responsible conduct, decreasing the likelihood of unlawful and unethical behavior at an early stage, and implementing effective processes that require Advantage personnel and vendors to report potential problems to allow for appropriate internal inquiry and corrective action. Advantage is committed to promoting an organizational culture that requires ethical conduct and a devotion to compliance with the law, and in which all Advantage personnel participate in regularly compliance audits that will further our prevention, detection and resolution of misconduct.

Advantage is committed to providing a safe, healthy, drug-free work environment. Your obligation is to comply with health, safety and environmental regulations and to maintain the highest level of professional ethical standards. The intent of this Code of Conduct and Ethics is to provide the ongoing instruction and communication necessary for personnel to meet this objective.

**PROCEDURES:**

All employees will acknowledge that they have received, read and understood this policy at the time of hire and annually thereafter.

All Advantage personnel are expected to abide by the general principles in the Code of Conduct & Ethics policy. Where a situation is not covered by the standards set forth in this policy, Advantage personnel shall apply the principles set forth in the Code of Conduct & Ethics in determining whether their conduct is proper. Failure to comply with any portion of this policy will be a consideration in performance management activities (performance evaluation, promotion, etc.).

**A. WHISTLEBLOWER POLICY**

Advantage requires anyone with reason to believe that a violation of the law, a regulation, the enterprise-wide Code of Conduct & Ethics, and/or any business operational policy or procedure has occurred, to report immediately what they

know or suspect, to their supervisor, compliance, Human Resources or to report it using the Compliance Alertline, (866) 654-3433.

Examples of illegal or dishonest activities include but are not limited to violations of federal, state or local laws; fraudulent financial dealings; or activities that impact health, safety, welfare or environmental protections.

We will consider all reports, including anonymous reports, but encourage anyone reporting to come forward so that it is able to conduct a full investigation. The confidentiality of the person(s) making the report will be maintained to the extent possible, but it may be necessary to disclose identity in order to conduct a full investigation and otherwise comply with the law.

Although the person(s) reporting the activity is not responsible for investigating the activity or for determining fault or corrective measures, they are encouraged to exercise sound judgment before making a report. We will not retaliate against any employee or other personnel for making a good faith protest or report or complaint about any unlawful or unethical conduct. The right to be free from retaliation is not guaranteed for those who personally engage in illegal, fraudulent or dishonest conduct forbidden by law or this policy.

Personnel who retaliate against intimidate or harass individuals who report an incident or who participate in the investigation or remediation of an incident will be subject to disciplinary action up to and including termination of employment.

Personnel who are determined to have made an intentional false report of wrongdoing may be subject to discipline, up to and including termination of employment or contract.

Any conflict between this policy and existing federal or state law will be resolved in favor of the federal or state law.

## **B. PROHIBITED CONDUCT**

Personnel are expected to spend their time during working hours focused on their responsibilities to our organizations and achieving common goals. For those reasons, employees are not allowed to surf the Internet, make personal calls (except in emergency circumstances), or engage in any personal business during working hours. Employees are allowed to conduct these activities during rest breaks, meal periods, or during other non-working hours.

Additionally, all personnel are to adhere to the highest standards of job performance and personal conduct. The following is a list of some examples of unacceptable performance or conduct. This list of prohibited conduct is illustrative only; other types of conduct injurious to security, personal safety, employee welfare and our operations may also be prohibited.

- Falsification of employment or other organizational company records.
- Recording work time of another employee or allowing any other employee to

record your work time, with the exception of direct supervisor, or allowing falsification of any time sheets, either your own or another employee's.

- Theft or the deliberate or careless damage or destruction of any property, or the property of any other employee or customer.
- Unauthorized use of company equipment, materials or facilities.
- Provoking a fight or fighting during work hours or on company property.
- Carrying firearms or any other dangerous weapon on company premises without prior approval.
- Engaging in criminal conduct while at work.
- Causing, creating or participating in a significant or substantial disruption of work during working hours or on company property.
- Insubordination, including but not limited to failure or refusal to obey the orders or instructions of a supervisor or member of management, or the use of abusive or threatening language toward another employee, customer or vendor.
- Failure to notify your supervisor when unable to report to work, or when leaving work during normal working hours without permission from your supervisor to do so. Failure to observe work schedules, including rest and meal periods.
- Sleeping or malingering on the job.
- Excessive personal telephone calls during working hours.
- Unauthorized overtime or refusing to work assigned overtime.
- Unprofessional appearance during business hours.
- Violation of any safety, health, security or company policy, rule or procedure.
- Unlawful harassment or discrimination.
- Unsatisfactory quality or quantity of work.
- Repeated or unexcused absences or lateness.
- Refusing or failing to do work assignments.
- Failing to act respectfully towards others in the workplace or while working for or representing Advantage.
- Careless or unsafe driving of vehicles on company premises or while on company business.
- Failing to follow instructions or company procedures.
- Failing to follow safety or work regulations and policies, procedures and/or work instructions.

This statement of prohibited conduct does not alter our policy of at-will employment. Either you or entities listed above remains free to terminate the employment relationship at any time, with or without cause or notice.

### **C. PRIVACY AND CONFIDENTIALITY OF RECORDS**

Advantage is committed to respecting and protecting the privacy of all patient information, including dental records, billing records, and related information. Advantage will comply with all applicable regulations when and as they are implemented, including those concerning privacy, security, and transaction formats for electronic communications.

We will develop and implement appropriate comprehensive office policies and procedures, and obtain, adopt, and implement software and office forms necessary to accomplish these goals and maintain compliance with applicable laws and regulations. All personnel must understand and abide by Advantage's privacy, security, and transaction programs.

Patient records, financial papers, appointment records, prescriptions, laboratory reports, and the like are to be kept confidential. Personnel should never discuss a patient's medical or dental condition with other personnel (except as necessary to perform their jobs), friends or family. Material relating to patient care should never be left in areas where other patients might see it. Except as otherwise expressly authorized by law, the office prohibits release of any information about a patient to members of the public or press, families, or friends without the patient's written authorization. With the exception of routine billing, collection, and payment matters, requests for patient information from insurance companies or other third parties must always be accompanied by a signed authorization from the patient or the patient's guardian. Subpoenas for patient records should immediately be provided to the manager and forwarded to the compliance department.

Care is especially important in the area of electronic communications. All personnel are required to use reasonable and necessary means to ensure that electronic transmissions containing or relating to confidential information are not compromised. These methods include but are not limited to the following: the use of firewalls, data encryption, antivirus software, and any other electronic programs that would facilitate protection of Confidential Information.

Upon separation, personnel must promptly return any and all documents, files, records, notes, lists, or other tangible items, whether in hard copy or on computer disk, containing, referring, or relating to Confidential Information. In addition, all employees will be required to sign a Confidentiality Agreement concerning the protection of Confidential Information upon their initial date of employment.

#### **D. INTELLECTUAL PROPERTY AND ASSETS**

**Ownership of Intellectual Property:** Advantage employees may create or develop intellectual property in the course of their employment with Advantage. Some examples of intellectual property include:

- Inventions, whether patentable or un-patentable
- Materials that are subject to copyright, including software development and marketing materials
- Brands, logos, and other trademarks or service marks
- Software

Intellectual Property that employees create in the course of their employment belongs to Advantage. Employees understand that, to the extent permitted by law, all work,

papers, reports, documentation, drawings, images, product ideas, service ideas, photographs, negatives, tapes and masters therefor, computer programs including their source code and object code, prototypes and other materials (collectively, "Work Product"), including, without limitation, any and all such Work Product generated and maintained on any form of electronic media, that employee generates, either alone or jointly with others, during their employment with Advantage will be considered a "work made for hire," and ownership of any and all copyrights in any and all such Work Product will belong to Advantage. The Confidentiality Agreement that each employee signs protecting Confidential Information also assigns ownership of this intellectual property to Advantage. The obligation not to disclose Advantage's confidential or proprietary information continues even after employment with Advantage terminates for any reason.

Employees have a responsibility to protect Advantage assets from loss, damage, misuse, waste, or theft. Advantage, such as funds, products, vehicles or computers, may only be used for business purposes and as otherwise pre-approved by management. Advantage assets may never be used for illegal purposes. Advantage's property should not be taken out of Advantage facilities unless necessary and authorized in connection with Advantage work.

#### **E. CONFLICT OF INTEREST**

It is the objective of Advantage to maintain an organization guided and governed by the highest standards of conduct and ethics. The reputation of Advantage is a direct reflection of the business conduct of all who work here.

To protect and enhance our reputation, Advantage requires that all employees be guided by the highest standard of conduct in their business contacts and relationships and not allow self-interests to interfere when Advantage business is involved.

Refer to Conflict of Interest policies and procedures for guidelines and reporting procedures.

#### **F. OPEN DOOR POLICY**

Advantage's Open Door Policy is based on our belief that issues are best addressed through informal and open communication. All employees are encouraged to raise their work-related concerns with their supervisor or with any supervisor of their choice as soon as possible after an event that causes concern. Advantage is also interested in employees' constructive ideas and suggestions for improving our business. Employees are encouraged to express their ideas and suggestions.

#### **G. RESOURCES FOR GUIDANCE**

We encourage you to discuss concerns with your supervisor. If you are uncomfortable doing so, you can discuss the situation with the Compliance Manager. You may contact them directly, or report incidents, issues, or concerns regarding the organization

anonymously and confidentially through Compliance Alertline at (866) 654-3433.

We cannot guarantee to keep your identity confidential if you report a concern or possible misconduct directly to the Compliance Manager, but we will maintain confidentiality within the limits of the law and our ability to investigate the issues you have brought to our attention.

Advantage absolutely prohibits, and will not tolerate, retaliation, intimidation or harassment against an Advantage employees, business associates, board members, subcontractors, consultants, and independent contractors working for Advantage who report a concern or suspected misconduct. Claims of retaliation, intimidation or harassment will be investigated, and appropriate action will be taken.