

Commonwealth Care Alliance, Inc.

Code of Conduct

Updated October 2015

Excerpted from Commonwealth Care Alliance's Employee Handbook and Code of Conduct



Code of Conduct

Commonwealth Care Alliance (“CCA”) must conduct business in accordance with all applicable laws, regulations, and contractual obligations. CCA’s Code of Conduct is a compilation of the ethical and legal guidelines pursuant to which all persons directly engaged in work on behalf of CCA including employees, volunteers, interns, trainees, and non-service provider independent contractors (the “Workforce”), the Board of Directors (“Board”), are to carry out their professional duties. The Code of Conduct does not identify every circumstance that may arise. It is meant to be a statement that is both broad and clear, but in many instances, a more comprehensive CCA policy and policy will apply.

Workforce are responsible to read, understand and adhere to the Code of Conduct and CCA policies and procedures.

5 Workplace Safety

CCA endeavors to provide an environment that is free from recognized health and safety hazards for its workforce, Members, and visitors while on CCA premises.

Supervisors are responsible for establishing procedures, practices and programs that minimize the risk of personal injury to the employees that they supervise. Employees are expected to report immediately any potentially unsafe or hazardous conditions to their Supervisors. Supervisors are also expected to report immediately any potentially unsafe or hazardous conditions to Human Resources and/or senior management.

Personal safety and physical security are the shared responsibility of every employee at CCA. All employees should use the utmost care in the custody of keys, CCA and clinical identification badges, cell phones, laptops, clinical equipment, and other valuables. Employees should report any suspicious activities in the workplace which may place employees or Members in harm.

5.1 Drug Free Workplace

CCA’s policy on drug and alcohol in the workplace is designed to address the organization’s concern for the health and well-being of its workforce and Members. Penalties for violation of the laws regarding controlled substances or alcohol range from warning to termination depending on the seriousness of the infraction and the degree to which violation of the policy adversely affects the well-being of the community or the fulfillment of CCA’s mission.

CCA reserves the right to inspect all portions of its premises for drugs, alcohol or other contraband. All members of the workforce may be asked to cooperate in inspections of their persons, work areas and property that might conceal a drug, alcohol or other contraband. Employees who possess such contraband or refuse to cooperate in such inspections are subject to appropriate discipline up to and including discharge.

5.1.1 Controlled Substances

Employees may not consume, manufacture, distribute, dispense, or be under the influence of controlled substances in the workplace, including at any worksite or location at which CCA duties are being performed by CCA employees, or as part of any other CCA activities.

CCA will take disciplinary action against violators consistent with CCA policy, and federal, state and local

laws. Such disciplinary action may include satisfactory participation in a substance abuse treatment; counseling or education program as a condition of reinstatement or continued employment; suspension; termination of employment; and/or referral for prosecution.

5.1.2 Alcoholic Beverages

CCA, consistent with the laws of the Commonwealth of Massachusetts, prohibits the consumption, possession and sale, and the provision or serving of alcoholic beverages by and to persons less than 21 years of age.

All CCA employees are prohibited from consuming alcohol or being under the influence of alcohol during work hours or in the workplace (except that it will not be a violation of this policy for an employee to engage in the responsible consumption of alcohol at approved social functions held during work hours or in the workplace, provided that the use of alcohol has been permitted in these circumstances and you are of legal drinking age.) Under no circumstance may a CCA employee consume or be under the influence of alcohol while operating CCA equipment or visiting CCA Members.

5.1.3 Testing

It is the policy of CCA to maintain a work environment that is free from the abuse of drugs and alcohol. CCA will administer drug and alcohol testing to Workforce.

Prior to testing, CCA shall provide the individual with a copy of this Section.

5.1.4 Testing Definitions

Under the Influence: anyone in the Workforce who is “under the influence” is affected by a drug and/or alcohol or the combination of a drug and alcohol in any detectable manner wherein such use or influence may affect the safety of the CCA members, employee, co-workers, or members of the public. The symptoms of influence include but are not limited to, changes in behavior, impairment of physical or mental ability, such as slurred speech or difficulty in maintaining balance or perceived smell.

Legal Drug: Prescribed drugs and over-the-counter drugs that have been legally obtained and are being used for the purpose for which they are prescribed or manufactured.

Illegal Drug: Any drug (a) which is not legally obtainable; (b) which is legally obtainable but has not been legally obtained; or (c) which has been legally obtained, but is not being used for prescribed purposes.

Individuals covered by this policy will be required to submit a urine sample in accordance with this policy. The sample will be tested by an initial screening test. Any samples with a positive test result under the initial screening test will be subjected to a confirmation test.

“Negative test result” means a test result that indicates that: (a) alcohol or any illegal drug is not present in the tested sample; or (b) alcohol or any illegal drug is present in the tested sample in a concentration below the cutoff level of .02 for alcohol concentration and/or below the cutoff level for an illegal drug as delineated in the Mandatory Guidelines for Federal Workplace Drug Testing Programs as published by the Substance Abuse and Mental Health Services Administration.

“Positive test result” means a test result that indicates the presence of a substance of abuse in the tested sample above the cutoff level of the test. “Confirmed positive result” means a confirmation test result that indicates the presence of a substance of abuse above the cutoff level of .02 for alcohol concentration and/or the cutoff level for an illegal drug as delineated in the Mandatory Guidelines for Federal Workplace Drug Testing Programs as published by the Substance Abuse and Mental Health Services Administration.

5.1.5 Reasonable Suspicion of Use or Impairment

CCA shall have reasonable suspicion when an individual in the Workforce has exhibited signs or symptoms that the individual is under the influence. When there is reasonable suspicion, CCA shall request the individual in the Workforce or vendor to submit to drug and alcohol testing.

If the individual in the Workforce refuses to be tested after the CCA has determined the need for testing, CCA shall relieve that individual of his/her assignment and/or position and place the individual on leave until CCA can investigate and determine whether CCA must take corrective or disciplinary action.

5.1.6 Actions

If CCA receives a confirmed positive result from a test of a current individual in the Workforce or vendor tested under this policy, or if there is a refusal to test, CCA has the discretion to take any disciplinary or corrective action, including but not limited to termination, requiring counseling or treatment, paid or unpaid suspension, reassignment, and/or immediate removal from position.

5.1.7 Testing Procedures

Samples shall be collected, stored, transported and maintained in accordance with the Testing Procedures of CCA's service provider. All testing is performed by a licensed certified third party laboratory.

Procedure for notifying applicant of the result:

1. The individual will be notified by personal telephone call and confirmed by an electronic message unless the individual instructs otherwise.
 - A. Unless agreed upon by the individual, no report will show the quantity of substance detected, but only the presence or absence of that substance relative to the cutoff level.
 - B. No report will show that a substance was detected in a screening test, unless the presence of the substance was confirmed in a confirmatory test.
 - C. No substance may be reported as present if CCA did not request analysis for that substance.
 - D. Unless the individual provides a written consent for release of information, all test results and any information acquired by CCA in the testing process is confidential and may not be released to anyone except the individual tested. This requirement applies to the personnel of all laboratories involved and to CCA but it does not prevent the disclosure of results or information if:
 - i. Release of information is required or permitted by state and federal law, or
 - ii. The use of this information is part of any grievance procedure, administrative hearing or civil action relating to the imposition of the test or the use of test results.

The results of any test may not be required, requested or suggested by CCA to be used in any criminal proceeding.

iii. Procedure for an individual to appeal and contest the accuracy of a confirmed positive result:

a. Retesting of confirmed positive result sample:

An individual can request release of the sample for retesting within five (5) business days after receiving notice of a confirmed positive test result. If the individual chooses, he/she may have the confirmed positive result sample retested at the same or another approved laboratory within 14 days after the individual receives notice of the confirmed positive result. The individual must request release of the sample in writing specifying to which approved laboratory the sample is to be sent. The individual shall incur all reasonable expenses for chain of custody procedures, shipping and retesting of positive samples related to this request. Reasonable expenses shall include: the actual cost of the retest charged by the approved laboratory; fees assessed by the approved laboratory for expenses associated with the retest, such as expenses associated with chain of custody procedures and shipping; and actual costs incurred by CCA for the retest, including any shipping expenses. In the event that the re-testing shows that the confirmed positive test result was a false positive result, CCA will waive the imposition of these fees and costs.

b. Appeal process:

To appeal the results of a confirmed positive result in lieu of retesting the sample, the individual must fill out and sign the attached "Substance Abuse Test Appeal" form submitting information explaining or contesting the results, within five (5) business days after notice of a confirmed positive test result. The appeal process will be conducted without cost to the individual. The individual will then be scheduled to meet within 14 days with the Senior Vice President, Human Resources. The individual will explain the basis for the appeal and may be asked questions. After the meeting concludes, a written report of findings and conclusions will be prepared and a copy sent to the individual.

5.2 Workplace Bullying

CCA defines bullying as "repeated inappropriate behavior, either direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment."

The purpose of this policy is to communicate to all employees, including supervisors, managers and executives, that CCA will not tolerate bullying behavior. Employees found in violation of this policy will be disciplined up to and including termination.

Bullying may be intentional or unintentional. Where management determines that bullying has occurred, the intention of the alleged bully is only one factor to be considered in determining whether to mete out discipline.

5.3 Violence in the Workplace

All of the Workforce, vendors and business associates must be treated with courtesy and respect at all times. The Workforce is expected to refrain from conduct that may be dangerous to others.

Conduct that threatens, intimidates or coerces another employee, customer, vendor or business associate will not be tolerated. CCA resources may not be used to threaten, stalk or harass anyone at the workplace or outside the workplace. CCA treats threats coming from an abusive personal relationship as it does other forms of violence.

Indirect or direct threats of violence, incidents of actual violence and suspicious individuals or activities should be reported as soon as possible to a supervisor, Human Resources, or any member of senior management. When reporting a threat or incident of violence, the employee should be as specific and detailed as possible. Employees should not place themselves in peril, nor should they attempt to intercede during an incident.

Employees should promptly inform the Human Resource department of any protective or restraining order that they have obtained that lists the workplace as a protected area. Employees are encouraged to report safety concerns with regard to intimate partner violence. CCA will not retaliate against employees making good-faith reports. CCA is committed to supporting victims of intimate partner violence by providing referrals to CCA's employee assistance program (EAP) and community resources and providing time off for reasons related to intimate partner violence.

CCA will promptly and thoroughly investigate all reports of threats of violence or incidents of actual violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as possible. CCA will not retaliate against employees making good-faith reports of violence, threats or suspicious individuals or activities. In order to maintain workplace safety and the integrity of its investigation, CCA may suspend employees suspected of workplace violence or threats of violence, either with or without pay, pending investigation.

Anyone found to be responsible for threats of or actual violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

CCA encourages employees to bring their disputes to the attention of their supervisors or Human Resources before the situation escalates. CCA will not discipline employees for raising such concerns.

5.4 Safety

It is the responsibility of each employee to conduct all tasks in a safe and efficient manner complying with all local, state and federal safety and health regulations and program standards, and with any special safety concerns for use in a particular area.

Although most safety regulations are consistent throughout each department and program, each employee has the responsibility to identify and familiarize her/himself with the emergency plan for his/her working area.

It is the responsibility of the employee to complete an Accident and Incident Report for each safety and health infraction that occurs by an employee or that the employee witnesses. Failure to report such an infraction may result in employee disciplinary action, including termination.

Furthermore, management requires that every person in the organization assumes the responsibility of individual and organizational safety. Failure to follow company safety and health guidelines or engaging in conduct that places the employee, client or company property at risk can lead to employee disciplinary action and/or termination.

5.5 Smoke-Free Workplace

It is the policy of CCA to prohibit smoking on all company premises in order to provide and maintain a safe and healthy work environment for all employees. The law defines smoking as the "act of lighting, smoking or carrying a lighted or smoldering cigar, cigarette or pipe of any kind."

The smoke-free workplace policy applies to:

- All areas of company buildings.
- All company-sponsored off-site conferences and meetings.
- All vehicles owned or leased by CCA.
- All visitors (customers and vendors) to CCA premises.
- All contractors and consultants and/or their employees working on CCA premises.
- All employees, temporary employees and student interns.

Employees who violate the smoking policy will be subject to disciplinary action up to and including immediate discharge.

5.6 Workplace Injury

CCA ensures that all employees receive prompt and appropriate attention and medical care as necessary for work-related injuries, and reports qualified incidents to the Occupational Safety and Health Administration (OSHA) in accordance with the following process:

- Human Resources identifies specific individuals ("Designees") to whom work-place injuries are to be reported. Designees are communicated to the Workforce periodically as necessary.
- The Workforce is instructed and reminded, at least annually, to report all work-related injuries to the appropriate Designees regardless of whether the injured individual in the Workforce feels medical treatment is necessary. The individual is instructed to seek medical treatment immediately, without approval from anyone, if they personally feel medical treatment is necessary.

- Human Resources shall open worker's compensation insurance claims on behalf of injured individuals in the Workforce upon notification of a work-related injury, and communicates and coordinates claim information to the injured individual in the Workforce as necessary.
- Human Resources shall report in-patient hospitalizations, fatalities, amputations, and losses of an eye of an individual in the Workforce to OSHA within twenty-four (24) hours of such an incident.
- Human Resources shall track all known work-related injuries on an OSHA Form 300.
- In compliance with 29 CFR Part 1904, Human Resources shall summarize all known work-related injuries, post a summary in a visible place in each location where CCA maintains workplaces, and adhere to all other reporting provisions contained in the rule.

5.7 Workers Compensation

Employees of CCA are covered by Massachusetts Worker's Compensation Law, which provides financial compensation and the payment of certain medical expenses to employees for injury or illness sustained in the course of employment. Employees will be paid under the Massachusetts Worker's Compensation Law for absences that occur after applicable statutory waiting periods have been satisfied. Employees may elect to use Accrued Time to supplement their weekly Worker's Compensation benefits to the extent that the employee's total compensation is less than their regular pay.

11.1 Reporting Compliance Concerns

CCA is committed to its policy that the Workforce, Board of Director members, and Contractors have an obligation to, in good faith, report concerns involving ethical or compliance violations. Compliance concerns include suspected incidents of fraud waste or abuse, and suspected information privacy or security incidents.

As a first measure, the Workforce is encouraged to report problems and concerns to their immediate manager. There are several other ways in which a concern can be reported as outlined in the following table.

Table 1. Methods for Reporting a Compliance Concern

Mechanism	Who can report using this Mechanism	Option to Remain Anonymous	Recipient(s) of Reports
Direct Communication with CCA's Compliance Officer	Workforce Board Contractors	No	Compliance Officer
Compliance Hotline: 1-800-826-6762	Workforce Board Contractors Public	Yes	Compliance Officer General Counsel
Report HR & Compliance Concerns Form on CCA's intranet, CommonGround	Workforce Board	Yes	Compliance Officer (Compliance Officer forwards HR-related concerns to Senior Director of Human

			Resources)
Compliance Email: compliance@commonwealthcare.org	Workforce Board Contractors	No	Designated Regulatory Affairs and Compliance Staff

If Workforce, Contractor or Board Member does not feel a reported issue has been addressed adequately, he or she may contact the Office of the Inspector General (OIG) at 1-800-447-8477 to report the concern.

CCA enforces its policy of non-retaliation for any employee who reports a compliance concern, in good faith, using any of the methods described above.

11.2 Conflicts of Interest

It is the policy of CCA to have procedures to assist the Workforce to identify conflicts of interest and to provide a procedure which, if observed, allows a transaction to be treated as valid and binding even though a director or employee has or may have a conflict of interest with respect to the transaction. CCA's General Counsel, with input from the Executive Team as applicable, is the final arbiter of conflict of interest questions.

11.2.1 Definitions

- **Contract or Transaction:** Any agreement or relationship involving the sale or purchase of goods, services or rights of any kind, the providing or receipt of a loan or grant, or the establishment of any other type of pecuniary relationship. The making of a gift to CCA is not a contract or transaction.
- **Family Member:** Refers to a spouse, domestic partner, parent, child or spouse of a child, brother, sister, or spouse of a brother or sister, of a Responsible Person.
- **Material Financial Interest:** A material financial interest in an entity is a financial interest of any kind, which, in view of all the circumstances, is substantial enough that it would, or reasonably could, affect a Responsible Person's or Family Member's judgment with respect to transactions to which the entity is a party. This includes all forms of compensation.
- **Responsible Person:** Refers to any person serving as an employee or member of the Board of Directors of CCA.

For purposes of this policy, the following circumstances are deemed to create a potential conflict of interest:

11.2.2 Outside Interest

- A contract or transaction between CCA and a Responsible Person or Family Member.
- A contract or transaction between CCA and an entity in which a Responsible Person or Family Member has a material financial interest or of which such person is a director, officer, agent, partner, associate, trustee, personal representative, receiver, guardian, custodian, conservator or other legal representative.

11.2.3 Outside Activities

- A Responsible Person competing with CCA in the rendering of services or in any other contract or transaction with a third party.
- A Responsible Person's material financial interest in, or serving as a director, officer, employee, agent, partner, associate, trustee, personal representative, receiver, guardian, custodian, conservator or other legal representative of, or consultant to an entity or individual that competes with CCA in the provision of services or in any other contract or transaction with a third party.

11.2.4 Gifts, gratuities and entertainment:

A Responsible Person accepting gifts, entertainment or other favors from any individual or entity that

- Does or is seeking to do business with, or is a competitor of CCA; or
- Has received, is receiving or is seeking to receive a loan or grant, or to secure other financial commitments from CCA under circumstances where it might be inferred that such action was intended to influence or possibly would influence the responsible person in the performance of his/her duties. This does not preclude the acceptance of items of nominal or insignificant value (under \$50) which are not related to any particular transaction or activity of CCA.

11.2.5 Additional Responsibilities of CCA Employees with a Director Level and Higher Job Title

- CCA employees with a job title of director or higher annually review the conflict of interest policy and complete the Conflict of Interest Information Form.
- After review of the Form by the General Counsel's office, the completed Form is kept in the employee's file by Human Resources.

11.3 Extending Business Courtesies

11.3.1 Acceptance of Business Courtesies

While employees of CCA are not encouraged to receive or extend business courtesies, employees may be, at times, in the position to do so. This policy provides employee guidance with regard to CCA's policies on the receipt and giving of business courtesies. Employees are to contact a Human Resources representative if there are questions regarding business courtesies that are not addressed in this policy.

Under no circumstances does CCA accept or give kickbacks when obtaining or rewarding contracts, services, referrals, goods or business. A kickback is defined as a means to willfully offer, receive, request or pay anything of value in order to induce or reward referrals of business including goods or services.

11.3.2 Receiving Business Courtesies

- **Social Events/Entertainment:** Invitations to a social event may be accepted from a current or potential business associate in order to further develop a business relationship. These events must not include expenses paid for any travel costs (other than in a vehicle owned privately or by the host company) or overnight lodging. The cost associated with such an event must be reasonable and appropriate. As a general rule, this will mean that the cost will not exceed

\$200.00 per person. Such social events must be infrequent, which as a general rule, means not more than quarterly and preferably less often. Events that exceed \$200.00 per person, or are more frequent than quarterly, must be approved by the legal department.

- **Training/Education:** Attendance at a vendor-sponsored workshop, seminar, or training session is permitted. Arrangements that include travel and overnight accommodations at no cost to the employee must be approved in advance by the legal department. Similarly, there are some events when an employee may be invited to an event at a vendor's expense to receive information about new products or services. Prior to accepting such invitation, the employee must receive approval to do so by the legal department.
- **Gifts:** While it is strongly discouraged by CCA, employees may accept a gift with a total value of \$50.00 or less in any one year from any individual vendor or organization who has a business relationship with CCA. Cash or cash equivalents such as gift certificates may not be accepted. Perishable or consumable gifts are acceptable.

11.3.3 Non-referral Sources

Individuals who are not in a position to make member referrals may extend the following business courtesies as outlined.

- **Social events/entertainment:** Invitations extended to non-referral sources to attend a social event in order to develop a business relationship must be approved in advance by the legal department. During these events, topics of a business nature must be discussed and the host must be present. These events normally should not include expenses paid for any travel costs. Any exceptions to this guideline must be approved by the legal department. The cost associated with such an event must be reasonable and appropriate. Such business entertainment with respect to any particular individual must be infrequent which as a general rule means not more than quarterly.
- **Business Events:** Reasonable and appropriate meals may be offered in conjunction with a business event.
- **Gifts:** Gifts or other incentives must never be used to improperly influence relationships or business outcomes. Gifts to business associates must not exceed \$50.00 per year per recipient. Cash or cash equivalents may never be given. Any gift in excess of \$50.00 value must be reported to the Compliance Officer.
- Any individual in the Workforce may be asked to give his/her time and expertise to activities outside of CCA during normal business hours, such as giving a speech or teaching at a seminar. The individual should first discuss the opportunity with his/her manager to assure that the activity does not create a conflict of interest and that staffing needs of the company are met. If an individual in the Workforce takes part in an outside activity during normal working hours, and that individual is compensated for that activity, he/she must either turn over the compensation to CCA or use accrued time for the amount of time spent away from his/her job.

11.3.4 Referral Sources

Individuals that may be in a position to make member referrals may extend the following business courtesies as outlined.

- Extending business courtesies to possible referral sources
 - Reasonable and appropriate meals may be offered in conjunction with a business event.
 - Any entertainment or gifts involving physicians or other persons who are in a position to refer prospective members must be approved by the legal department.
- Business courtesies with government employees
 - Federal and state governments have strict rules and laws regarding gifts, meals and other business courtesies of their employees.
 - The policy is to not provide any gifts, entertainment or anything else of value to any employee of the federal or state government.
 - Modest meals and refreshments in connection with business discussions may be provided.

11.4 Use of Company Facilities, Telephones, Fax, Mail, and Photocopy Services

CCA's assets are to be used to conduct company business. CCA's tangible and intangible assets include, but are not limited to, its proprietary business information, money, equipment, inventory, office supplies, customer lists, business strategies and plans, financial data, and intellectual property.

CCA Workforce is to protect all company-issued assets given to them and must use those assets in a proper manner for the purpose for which they are intended. Workforce must maintain such assets in proper condition and promptly return such assets to CCA upon the termination of the need for such use, whether by completion of a project, termination of employment or otherwise.

Inappropriate use of CCA computer systems and communication services may result in loss of access privileges and/or in disciplinary action up to and including termination.

11.5 Use of Information Technology

Computers, computer files, the e-mail system, software, hardware, telephones, mobile devices, and networks furnished to employees (collectively, "Communication Systems") are the property of the CCA and intended for business use. All messages and transmissions composed, sent, stored or retrieved on CCA's Communication Systems are and remain the exclusive property of CCA and they are not to be considered the private property of any individual in the Workforce. The equipment, services, and technology provided to access the Internet also remain at all times the property of CCA.

By using CCA's Communication Systems, Workforce expressly consents to this policy. Transmissions of messages on CCA's Communication Systems are not and should not be considered confidential or private. CCA may access its Communication Systems to review and monitor communications, and retrieve and read any data composed, sent or received through CCA's online connections and stored in CCA's computer systems, without notice to users of the systems, whenever CCA deems it appropriate to do so.

A list of passwords for all individuals in the Workforce is maintained by CCA at all times. CCA's Communication Systems may automatically store or record information transmitted in a backup storage mechanism. Communications stored in the system may be deleted, printed, or used for any purpose.

As CCA-owned property, all messages and information on the Communication Systems are subject to disclosure to law enforcement or government officials, or to other parties through subpoena or its equivalent. All users of the CCA's Communication Systems must comply with all software licenses, copyright and intellectual property laws.

Any Workforce who abuses CCA's Communication Systems in violation of the law or CCA policies shall be disciplined, up to and including termination of employment. Employees can be held personally liable for any violation of this Policy. Prohibited activities and actions include, but are not limited to, the following:

1. Using CCA's Communication Systems in ways that are disruptive, offensive to others, or harmful to morale such as posting or sending information that is intentionally malicious, abusive, discriminatory, harassing or threatening;
2. Displaying or transmitting pornographic, obscene or sexually explicit images, messages and cartoons. Other such misuse includes, but is not limited to, ethnic slurs, racial comments, off color jokes, or anything that may be construed as harassment or showing disrespect for others;
3. Sending or posting confidential material such as members' health and claim information, social security numbers, personal financial information of employees, members and third party business associates, CCA contracts with government agencies, and intellectual property and trade secrets as delineated in CCA's Code of Conduct.
4. Sending or posting messages that could damage CCA's image or reputation. If an individual in the Workforce publishes a blog or post online related to the work that the individual does or subjects associated with CCA, the employee must make it clear that the individual is not speaking on behalf of CCA. That individual should express only his/her personal opinions and not represent as a spokesperson for CCA. If CCA is a subject of the content the individual is creating, be clear and open about the fact that he/she is an associate and make it clear that his/her views do not represent those of CCA fellow associates, members, suppliers or people working on behalf of CCA;
5. Sending or posting messages that defame or slander coworkers;
6. Sending or posting chain letters and advertisements not related to CCA business or activities;
7. Copying any computer applications from CCA computers or the network;
8. Using a password or retrieving stored communications without proper authorization. Employees are prohibited from accessing or attempting to access another employee's electronic communication without appropriate authorization;
9. Soliciting others for commercial ventures, religious or political causes, or other non-business matters.
10. Jeopardizing the security of CCA's Communication Systems; and

11. Engaging in activities that are illegal, unethical or contrary to the interests of CCA. Unethical behavior would include sending or posting company data that has been intentionally modified for financial or reputational advantage. Regarding activities that are contrary to the interests to CCA, employees should not post internal business-related confidential communications and Workforce are required to maintain confidentiality of members' health and claims information.

11.6 Use of Mobile Telephones and Related Devices

In keeping with its obligations under federal and state occupational health and safety laws, to maintain a safe and healthful workplace, and to minimize the safety risks for employees, passengers in moving vehicles, and the public at large, CCA has adopted the following policy with respect to the use of mobile telephones by employees while operating a moving vehicle in the course of employment.

No Workforce engaged in CCA business is to engage in the use of a mobile phone while operating a motor vehicle while the vehicle is in motion, unless such mobile phone is equipped and used with a hands-free device. (The only exception to this policy is where a phone call is made in a bona fide emergency, such as to call "911" or a similar emergency number (e.g. to call an ambulance, fire department, etc.).)

11.7 Social Media

It is the policy of CCA to provide guidelines to CCA Workforce with regard to the acceptable use of social media in connection with CCA's business activities and Workforce' use of social media and reference made to CCA, the Workforce or members. For the purposes of this policy, social media should be understood to include any website or forum that allows for the open communication on the internet including, but not limited to:

- Social Networking Sites (Google+, LinkedIn, Facebook)
- Micro-blogging Sites (Twitter, Instagram);
- Blogs;
- Video and photo-sharing websites (YouTube; Flickr, Pinterest).

Think Before Posting: Workforce should remember that any conduct, online or otherwise, that negatively or adversely impacts job performance or conduct, the job performance or conduct of other co-workers or adversely affects members, customers, colleagues or associates of CCA or CCA's legitimate business interests may result in disciplinary action, up to and including termination. If Workforce have any doubt about what to post online, it is probably better not to post, since once something is placed in cyberspace, it is often difficult to retract the information.

Using Social Media at Work: Workforce should attempt to limit their use of social media during working hours or on equipment provided by CCA unless such use is work-related or authorized by a supervisor. Workforce should not use CCA-provided email addresses to register on social networks, blogs or other websites for personal use. Employees should note that this provision is not meant to prohibit employees from engaging in concerted protected activity which is lawful under Section 7 of the National Labor Relations Act.

Workforce Are NOT Authorized to Speak on Behalf of CCA, Unless Explicitly Given

Permission: Workforce should express only personal opinions online and Workforce should never represent himself or herself as a spokesperson for CCA or other co-workers, clients, customers, colleagues or other individuals who work on behalf of or who are associated with CCA. If Workforce chooses to post online content relating to CCA, the employee must make it clear that he or she is not speaking on behalf of CCA.

Do Not Post Confidential Information: Workforce shall protect members' protected health information ("PHI"), CCA's trade secrets and private, confidential and proprietary information. The Workforce is to abide by the Centers for Medicare and Medicaid Services (CMS) marketing guidelines as they relate to the use of social and electronic media. Member information is not to be posted to any of social media site.

Workforce shall make sure that online postings do not violate Sections 6.0 and 13.0 of the Handbook, or any non-disclosure or confidentiality obligations and disclose CCA's trade secrets and confidential and proprietary information as outlined in 6.3.

Be Accurate and Honest: Workforce shall always be accurate and honest in posting any news or information to social media and quickly correct any mistakes or errors. Workforce should never post any information which is known to be false about CCA or any co-workers, clients, customers, members, colleagues or other individuals that work on behalf of or are associated with CCA.

CCA-Controlled Social Media Accounts: All business-related social media accounts and related postings maintained by Workforce for marketing and/or networking purposes remain the property of CCA. All information including the account, the login and password shall be provided to the Workforce supervisor, and the supervisor shall be promptly provided any change to the account credentials. No Workforce has the right to use the account after separation from the Company and only upon approval by the Workforce supervisor is a change to the account names and settings permitted.

Retaliation Prohibited: CCA prohibits taking negative action against any employee for reporting a possible violation of this social media policy or cooperating in any investigation with respect to a potential social media policy violation. Any employee who retaliates against any employee for reporting a possible deviation from this policy or for cooperating in any investigation will be subject to disciplinary action, up to and including termination.

CCA Reservation of Rights: CCA reserves the right to discipline employees, up to and including termination, for any commentary, content or images that are pornographic, harassing, and libelous or for anything that creates a hostile work environment based on race, sex, religion or any other protected class.

When applicable, protected concerted activity covered by the National Labor Relations Act ("NLRA") or the particular collective bargaining agreement is not prohibited by this policy. Enacted in 1935 the purpose of the National Labor Relations Act is to protect the rights of employees and employers, to

encourage collective bargaining, and to curtail certain private sector labor and management practices, which can harm the general welfare of workers, businesses and the U.S. economy.

11.8 Accuracy of Records

Accuracy and reliability in the preparation of all business records is mandated by law and is of critical importance to CCA's decision-making processes and to the proper adherence to financial, legal, and reporting obligations. All Workforce members must record, organize, and report information and transactions in all records, books, and documents in an accurate manner and in accordance with applicable CCA policies and procedures.

11.9 Record Retention

CCA preserves and maintains company records in accordance with document retention policies and current laws, rules and regulations. A variety of regulatory and legal requirements govern the retention of records for stated periods of time. In some circumstances, such as litigation or government investigation, special care must be taken to avoid destruction of relevant documents. Any questions on the proper retention period for a record or restrictions on discarding records should be directed to one's manager, CCA's General Counsel or Compliance Officer.

11.10 Corporate Communications

CCA seeks to maintain an open and positive relationship with the news media and to meet their need for timely, consistent, and accurate information. Management is responsible for media outreach as well as responding to media inquiries and requests. All news releases and other written or verbal communication are coordinated by the Marketing and Communications department.

11.11 Confidentiality of Member and Workforce Information

As a "covered entity" as defined by federal HIPAA regulations, CCA must abide by the Information Privacy and Security Standard and has established policies and procedures for protecting patient information. CCA Workforce is to be familiar with all information privacy and security policies and procedures to ensure, to the fullest extent possible, that all member information is treated in a confidential and respectful manner. The policies provide that, in general, CCA may use or disclose medical or personal information of members only as necessary to conduct required business, care management, approved research, quality assurance/measurement activities or when authorized to do so by a member or as required by law. In cases of emergency, CCA may need to disclose member information as required by law.

Member information is never to be discussed in public areas. The Workforce and Contractors are also responsible for keeping member information in a secure location when it is not being used. Anyone in the Workforce and/or Contractor who is using paper containing member information during work hours, should safeguard the member information when not in use and secured in a locked location at the end of the work day.

CCA's information privacy and security policies set forth the expectations for the entire Workforce and Contractors regarding procedures that must be followed to protect the confidentiality of member information. These policies are regularly reviewed and revised to ensure they currently reflect changes in the laws regarding confidentiality of information. Any member of the Workforce or Contractor who violates these policies may be subject to disciplinary action in accordance with CCA's Employee Discipline policy and procedure.

Confidential information within CCA is to be shared among staff members and Contractors on a need-to-know-to-complete-assigned-task basis only. At a minimum:

- All Member records and information shall be kept in a secure location.
- Computerized Member information shall be accessible only to authorized personnel.
- All open work areas should be cleared of confidential Member, proprietary and employee information.
- E-mail of protected health information, personally identifiable information, and identifiable financial information or personal financial information that is sent outside of the CCA internal systems must be sent in an encrypted format and password protected.

The Department of Regulatory Affairs and Compliance conducts periodic unannounced workspace privacy audits to detect privacy violations and works with the appropriate managers to rectify the violations and to mitigate the risk of future violations.

11.11.1 User Names, Login Identification and Passwords

CCA protects and maintains the confidentiality and integrity of information used to access its systems including, but not limited to, user names/login identification and passwords. The Workforce and Contractors shall recognize that each individual is responsible for the actions resulting from the use of their individual password and all passwords are to be kept confidential. CCA Workforce and Contractors are not to share passwords, request other's passwords, or allow others to use their workstations while they are logged on.

As a condition of engagement, the Workforce and Contractors are periodically required to acknowledge receipt and understanding of the policies and procedures on confidentiality and the consequences of violating these policies

11.11.2 Workforce Information

The Workforce and Contractors must also safeguard employment related information about the Workforce. Massachusetts law requires companies to protect certain information regarding its Workforce and all Workforce members and Contractors with access to such information are required to avoid improper disclosure of information.

11.12 Confidentiality of Business Information

As a Massachusetts employer, CCA must take the necessary steps to safeguard the personal financial information of our Workforce and third party business associates. The Workforce and Contractors are obligated to keep confidential all trade secrets or other proprietary information of CCA. The protection of confidential business information and trade secrets is vital to the interests and the success of CCA.

"Confidential Information" shall include any scientific, technical, trade, strategic, business or other information, oral or written, which is treated or identified by CCA as confidential, or could reasonably, from the context of the disclosure, be understood or expected to be confidential, including all inventions (whether or not reduced to practice), product research, projects, discoveries, know-how, methodologies, algorithms, formulas, protocols, reports, member/patient information, financial information, medical information or data, results, observations, computer programs, business plans,

customer lists, equipment, patent applications, strategic plans, business opportunities, marketing and sales, employment and compensation information, personal identifiable information, labor relations strategies, hypotheses, research directions, developments, improvements, drawings, designs, specifications, and draft or final regulatory filings. The Workforce shall acknowledge that Confidential Information consists of confidential, proprietary information and trade secrets owned by CCA. If, by mistake, disclosed information includes any identifiable member/patient information that individual shall immediately upon discovering such information, or at CCA's request, return it (and any copies) to CCA and should promptly notify the Department of Regulatory Affairs and Compliance.

11.12.1 Intellectual Property and Trade Secrets

CCA respects the valid legal rights of others to their ownership of intellectual property. Intellectual property rights are derived from laws granting patent, copyright, trade secrets and trademark protections. Intellectual property can take many forms, including, but not limited to:

- Concepts
- Administrative or clinical programs
- Processes or products
- Copyrighted publications
- Computer software
- Patentable inventions
- Trademarks
- Copyrights
- Trade secrets
- Marketing plans and financial information
- Logos

CCA Workforce and CCA Contractors prohibited from reproducing any copyrighted work, including copyrighted computer software, without express written permission of the copyright owner or its authorized agent, as required by law.

In order to avoid violating the rights of others, it is important to obtain prior clearance from CCA's General Counsel if an individual has concerns about intellectual property ownership or is adopting product identifications such as trade names or trademarks.

CCA owns all intellectual property that it makes, creates, develops, writes or conceives either on its own or with another individual while employed by or contracted with the company whether developed during working hours or not.

The Workforce and CCA Contractors may not use or disclose CCA's trade secrets or Confidential Information except in the performance of their duties for CCA. This obligation to protect and not misuse CCA's trade secrets and Confidential Information applies both during employment and remain in effect for five (5) years after the termination of employment, contract, business venture and/or term of service or for as long as any Confidential Information remains confidential. Any member of the Workforce or

CCA Contractor who violates this restriction will be subject to disciplinary action, up to and including termination of employment, contract termination and/or legal action.

11.13 Cooperating With Government Agencies

CCA is committed to complying with the laws and regulations that govern the Medicare and Medicaid programs.

The Workforce and CCA Contractors are expected to show respect for government and regulatory officials and to cooperate with all reasonable requests for information.

CCA will never take any steps that would impede, obstruct, improperly influence the conclusions of or affect the integrity or availability of any audit, review or investigation.

Anyone in the Workforce or any CCA Contractor who is contacted or approached by any person who identifies himself/herself as a government investigator or regulator , he/she is to contact the Department of Regulatory Affairs and Compliance or General Counsel immediately. A representative of the Department of Regulatory Affairs and Compliance will assist him/her in following proper procedures for cooperating with the investigation.

11.14 Political Contributions, Political Activity and Community Involvement

CCA makes donations and contributions, joins various professional associations and sponsors community relations programs to promote CCA's values and mission. CCA is, however, prohibited by law from making political contributions or from reimbursing individuals who make political contributions. While the Workforce is encouraged to be active in the community, they cannot seek reimbursement from CCA for political contributions and they cannot use CCA facilities for political activity. The Workforce is encouraged to vote and participate fully in the political process. However, such political activities must be done on his/her own time and at his/her own expense.

11.15 Antitrust

Antitrust laws exist to ensure that the market for goods and services operates competitively and efficiently. These laws are complex, and carry both civil and criminal penalties which can be imposed on individuals as well as the organizations they represent. CCA Workforce is not to engage in any kind of agreement or business practice that restricts free and fair competition and are never to engage a competitor in discussions regarding product prices. Workforce is to take care when engaging in conversations with competitors. Any questions should be directed to CCA's General Counsel.

11.16 Fraud, Waste and Abuse

CCA believes it is in the best interest of its members, Contractors, Board, the Workforce, and the community to prevent and combat fraud, waste and abuse. Workforce is expected to report any suspected cases of fraud, waste or abuse to the Department of Regulatory Affairs and Compliance via one of the defined reporting mechanisms.

CCA uses the following definitions:

Fraud is defined as knowingly, intentionally 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 money or property owned by or under the custody or control of any health care benefit program.

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

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 includes actions that may directly or indirectly result in unnecessary costs.

CCA has a Fraud, Waste and Abuse Program as well as specific policies and procedures designed to prevent, detect, investigate, mitigate and appropriately report suspected cases of fraud, waste and/or abuse. CCA is subject to several laws and regulations pertaining to fraud, waste and abuse, including, but not limited to, the federal Anti-Kickback Statute, the False Claims Act and the Massachusetts False Claims Law.

11.16.1 Anti-Kickback Statute

CCA does not accept or offer incentives, other than as permitted by law, in exchange for referrals of business to providers or vendors. Conviction of violation of the Anti-Kickback Statute is a serious

offense and carries both civil and criminal penalties for individuals as well as for CCA. In addition, violations could lead to exclusion of CCA from participation in federally funded health care programs such as Medicare and/or Medicaid.

The [Anti-Kickback Law](#) is very broad and complex. For example, a seemingly innocent donation to CCA of free goods or services by a medical vendor could be considered a prohibited kickback under certain circumstances. CCA Workforce, especially those who manage our relationships with providers and vendors, must be vigilant in identifying potential violations of the Anti-Kickback Law and bring them to the immediate attention of the Compliance Officer or General Counsel.

11.16.2 False Claims Act

The federal False Claims Act is designed to combat fraud and recover losses resulting from fraud in federal programs (such as Medicaid and Medicare), purchases or contracts. In addition to the federal law, the Commonwealth of Massachusetts has a state [False Claims Law](#). Under the federal and state laws, Workforce are obligated to report any instances of false claims.

Both the federal and the state laws provide protections entitled 'Whistleblower Protections' to those who report false claims. A member of the Workforce or a Contractor has the right to file a civil suit on behalf of the government to challenge a violation of the False Claims Act. The law contains important protections for these Workforce. No employer may discharge, demote, suspend, threaten, harass, deny promotion to, or in any other manner discriminate against an employee in the terms or conditions of employment because of lawful acts done by the employee in disclosing information to a government or law enforcement agency in furthering a false claims action.

You can find an overview of the federal False Claims Act legislation [here](#).

11.17 Reporting Violations

Each individual in the Workforce and CCA Contractor has a responsibility for good faith reporting of any activity by any colleague or vendor that appears to violate applicable laws, rules, regulations or this Employee Handbook and Code of Conduct. To obtain guidance on a compliance issue or to report a suspected violation, the individual should, when possible, begin by raising concerns with their manager. If this is uncomfortable or inappropriate, the individual should discuss the situation with the Compliance Officer or General Counsel.

CCA makes every effort within the limits of the law to keep confidential the identity of an individual who reports possible misconduct. There will be no retribution, retaliation or discipline for anyone who in good faith reports a suspected violation. Anyone who deliberately makes a false accusation with the purpose of harming CCA or harming or retaliating against any other individual in the Workforce may be subject to disciplinary action up to and including termination.

11.17.1 Internal Investigations and Disciplinary Actions

CCA will make every effort to investigate reported concerns promptly and discreetly. The Compliance Officer or his/her designee reviews the findings from any investigation and immediately recommends corrective action when appropriate.

11.17.2 Corrective Action

When an internal investigation substantiates a reported violation, CCA will initiate corrective action, including notifying the appropriate governmental agency, instituting appropriate disciplinary action in collaboration with the appropriate manager, and implementing systemic changes to prevent a similar violation from recurring at CCA.

11.17.3 Disciplinary Action

Violations of the CCA Code of Conduct may result in one or more of the following disciplinary actions depending upon the severity of the violation:

- Counseling;
- Documented verbal warning;
- Written warning(s);
- Final written warning;
- Suspension;
- Performance improvement plan; and/or
- Recommendation for termination of employment.

Disciplinary actions may be taken if an employee is not compliant with CCA's Compliance Program, federal, state, and/or contractual requirements.