



## **CORPORATE COMPLIANCE PLAN FOR ACCOUNTABLE CARE ORGANIZATIONS**

### **I. OUR COMMITMENT TO COMPLIANCE**

This Compliance Plan shall apply to any Accountable Care Organization (“ACO”) in which Tenet Healthcare Corporation (“Tenet”) owns an interest of more than 50% or for which Tenet manages the day-to-day operations of the ACO.

Tenet has a policy of fostering and maintaining the highest level of professional and ethical standards in the conduct of its business. Tenet’s high ethical standards are in alignment with its core values of quality, integrity, service, innovation and transparency. This Compliance Plan is a reaffirmation of the importance of the highest level of ethical standards and core values.

These standards can only be achieved and sustained through the actions and conduct of all personnel of the Tenet ACOs. Each and every employee, including management of the ACOs, is obligated to conduct himself/herself in a manner to ensure the maintenance of these standards. Employees who ignore or disregard the principles of the Compliance Plan will be subject to appropriate disciplinary actions.

Employees, participants, members and all parties with or through Tenet ACOs must be cognizant of all applicable federal and state laws and regulations that apply to and impact the ACOs’ operations as well as the day to day activities of its employees, agents and contractors. Each ACO party who is materially involved in any of the ACO’s operations has an obligation to familiarize himself or herself with all such applicable laws and regulations and to adhere at all times to the requirements thereof. Where any question or uncertainty regarding these requirements exists, it is incumbent upon and the obligation of each employee to seek guidance from their supervisor or their ACO compliance officer.

### **II. COMPLIANCE PLAN ELEMENTS**

#### **A. Designated Compliance Officer and Compliance Committee**

The ACOs’ Compliance Officer (CO) is Michelle Castro who is not legal counsel to Tenet, any ACO entity, provider or supplier. As the focal point for all ACO compliance activities, the CO reports directly to Tenet’s Chief Compliance Officer

and the ACOs' Board of Managers or such Board Committees as may be designated from time to time. The CO is a dedicated resource to the ACO and is responsible for implementing and maintaining an effective Compliance Program for the ACOs.

The CO will chair the Corporate ACO Compliance Committee which will meet no less than on a quarterly basis. Members of this committee shall include representation from: 1) Tenet Compliance Department; 2) Tenet Managed Care/ACO Department's Business and Clinical Operations; and 3) Tenet Legal Counsel. The CO will provide a summary report on compliance committee matters to each of the ACOs' Boards at least semi-annually. ACO-specific compliance committees or subcommittees may also be formed as needed for special attention to a matter specific to a particular ACO.

Each ACO shall further have a designated Compliance Liaison who from time to time assists the CO in compliance-related investigations, risk assessments and audits.

The CO will also propose revisions to the Compliance Program as necessary to improve the ACOs' efficiency and quality of service, and thereby reduce the ACOs' vulnerability to fraud, waste and abuse.

## **B. Policies and Procedures and Standards of Conduct**

Employees are required to comply with all federal and state laws and regulations as well as with the policies of the ACO. Further, employees are expected and required to act in a manner consistent with the highest levels of integrity, both professionally and personally, in order to identify and prevent fraud, waste and abuse in the healthcare setting and protect the privacy and security of patient health information.

Tenet's Standards of Conduct will be distributed to all employees. In addition, all employees shall have access to the policies of the ACO. As a condition of continued employment, employees will be required to read the Standards of Conduct and certify in writing that they will adhere to its Standards and applicable policies and procedures. The Standards of Conduct shall be updated from time to time to reflect changes in applicable laws and regulations.

## **C. Compliance Education and Training Programs**

The ACO's training program is designed to educate the entire ACO workforce, including ACO physicians, on the specifics of the Compliance Program. The focus of this annual training is the Standards of Conduct, ACO compliance policies and applicable regulations. Continued enhancement of the content will occur and

participation in the training programs will be a condition of continued employment for all employees of the ACO, without exception.

In addition to the general compliance education, the ACO will offer ongoing education regarding new and emerging compliance issues. The ACO will retain records of the topic(s) of the presentation(s), the date of the presentation and the personnel in attendance. These records will be retained for a period not inconsistent with the ACO's record retention policy.

#### **D. Reporting Potential Compliance Issues**

ACO employees and stakeholders may report potential compliance issues directly to the ACO's dedicated CO or the organization's toll-free Ethics Action Line (hotline). The toll-free telephone line is available 24 hours a day 7 days a week to individuals to report any potential compliance issues to seek information about the application or interpretation of ACO policies and procedures, Standards of Conduct or applicable laws and regulations. Callers may choose to remain anonymous (to the extent possible and allowed by law) and the issues discussed will be handled in a confidential manner. All reported concerns are documented, investigated and corrected, as applicable.

#### **E. Responding to Detected Offenses**

Any report received concerning alleged violations of the Standards of Conduct, policies or law will be promptly and thoroughly investigated, documented and appropriate corrective actions implemented. Appropriate disciplinary action will also be implemented as needed. In some cases, the ACO may be required to voluntarily self-report the matter to an appropriate government authority, and the ACO will promptly take such steps.

All compliance investigations led by the CO shall be summarized in a written report and stored in Tenet's internal database that tracks compliance-related issues.

All Tenet ACO employees are required to report a potential compliance issue and shall not face retribution or retaliation for reporting.

#### **F. Routine Monitoring, Auditing, and Identification of Compliance Risks**

Ongoing monitoring and auditing are critical to a successful compliance program. The CO will implement an annual compliance work plan and lead periodic reviews of the ACOs' operations. The CO will conduct ACO-specific risk assessments and audits on a regular basis using internal or external auditors as appropriate. The findings and recommendations will be reported and shared with the ACO Compliance Committee and the ACO Boards, as appropriate. All audits

and risk assessments shall be stored in Tenet's internal database that tracks compliance-related issues.

Background screening is conducted on all prospective ACO employees. The background screening process includes verification of social security number, criminal history search, education and licensure verification and exclusion/sanctioned/debarred screening against the OIG and GSA sanctions databases. Any confirmed exclusion disqualifies the applicant from employment positions.

On an annual basis, all ACO leaders are required to complete the Tenet Conflict of Interest survey. All potential conflicts are reviewed by the CO and Tenet Ethics Department and corrective actions are implemented as needed. A summary report will also be stored in Tenet's internal database that tracks compliance-related issues.

Each ACO shall maintain such books, contracts, records, documents, and other evidence for a period of 10 years from the date of the final date of the agreement period or from the date of completion of any audit, evaluation or inspection whichever is later, unless 1) Centers for Medicare and Medicaid Services ("CMS") determines there is a special need for a longer period and CMS notifies the ACO at least 30 days before the normal disposition date; or 2) there has been a termination, dispute or allegations of fraud against the ACO party in which ACO must retain records for an additional 6 years from the date of any resulting final resolution.

The CO will also develop and implement a compliance scorecard to objectively measure each ACO's performance with various compliance processes. This scorecard will be presented to the ACO Boards on a regular basis.

### **III. ANNUAL COMPLIANCE PLAN REVIEW**

The CO shall prepare an annual report that summarizes significant compliance and ethics activities for the year. This report is presented to Tenet's Chief Compliance Officer, the Corporate ACO Compliance Committee and ACO governing boards. In addition, Tenet Ethics and Compliance Department shall review and reassess, at least annually, the adequacy of the Compliance Plan and make improvements to the Compliance Plan that the Ethics and Compliance Department considers necessary or appropriate.