

Standard of Conduct

2021



Network Medical Management

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Mission

- Network Medical Management (NMM) is committed to conducting its business operations with the highest ethical standards and in full compliance with all applicable Federal and State laws, rules and regulations.
- NMM expects its employees to perform their job duties and represent the organization in a manner that reflects and upholds this commitment.
- The Standards of Conduct is designed to clearly communicate the organization's expectations and provide guidance to its employees in carrying out their daily activities within appropriate ethical and legal standards.

Purpose & Scope

- All employees must comply fully with the standards set forth in the NMM Standards of Conduct as well as any additional parameters documented in department-specific policies and procedures. Employees who violate the Standards of Conduct will be subject to disciplinary action.
- The standards and requirements in these Standards of Conduct apply to all NMM employees, including directors, officers, managers, and staff at all levels.
- These Standards of Conduct are not intended to and shall not be deemed or construed to provide any rights, contractual or otherwise, to any employees of NMM or to any third parties.

Standard of Conduct

General Principles

All NMM employees shall conduct their daily activities in accordance with the following general principles of conduct:

- Job duties must be performed in full compliance with both the Federal and State law. NMM prohibits retaliation against anyone reporting in good faith a known or suspected ethical or compliance concern.
- Conduct activities with integrity and honesty. NMM employees shall strive for excellence in performing their duties.
- Avoid any conduct that could reasonably be expected to reflect adversely upon the integrity of the company, its officers, directors or other employees.
- Be a positive influence and good corporate citizens in the communities where the company provides services. Treat members, providers, vendors, and fellow employees fairly and with respect.
- Report to their supervisors or to the NMM Compliance Officer any illegal or unethical practices of NMM employees.
- Abide by the NMM Compliance Program, Anti-Fraud Plan, Conflict of Interest Policy, and all other applicable Policies and Procedures.

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Avoiding Conflicts of Interest

NMM employees shall:

- Understand and abide by NMM's Conflict of Interest policy.
- Avoid situations that could create, or appear to create, a conflict of interest unless such a situation has been reported to management, approved and properly disclosed as required by the Conflict of Interest policy.
- Avoid any financial, business, or other activity that competes with NMM's business interests, interferes or appears to interfere with the performance of their duties, or involves the use of NMM property, facilities, or resources, except to the extent consistent with the Conflict of Interest policy.
- Not have a financial or other personal interest, other than compensation provided by NMM, in a transaction between NMM or any of its business units and vendors, suppliers, providers, or customers.

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Business & Financial Practices

NMM employees shall:

- Conduct all NMM business transactions in accordance with management's general or specific directives, as specified by applicable policies and procedures, and in full compliance with governing Federal and State laws, rules and regulations.
- Avoid offering or accepting any form of bribe, payment, gift, or item of more than a nominal value to or from any person or entity with which NMM has or is seeking a business or regulatory relationship.
- Avoid unfair competition or deceptive trade practices, including misrepresentation of NMM's products or operations. NMM employees shall not make false or disparaging statements about competitors or their products.
- Comply with applicable antitrust laws. There shall be no discussions or agreements with competitors regarding price or other terms for products, prices paid to suppliers or providers, dividing up customers or geographic markets, or joint action to boycott or coerce certain customers, suppliers, or providers.

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Preventing, Detecting and Correcting Fraud, Waste and Abuse

NMM is strongly committed to the detection and prevention of FWA. NMM maintains ultimate responsibility for adhering to and fully complying with all applicable State and Federal statutory and regulatory requirements. NMM will work in an ongoing manner with the appropriate entities to detect and prevent FWA as required by the CMS Compliance Program Guidelines.

NMM employees shall:

- Comply with applicable laws, regulations, guidelines and policy, including Anti-Fraud Plan.
- Immediately report suspected FWA conduct to the NMM Compliance Department.
- Cooperate fully with, and disclose all pertinent information with regard to any NMM investigation of suspected FWA conduct.

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Marketing & Sales/ Enrollment Activities

NMM will take all appropriate steps to ensure that its marketing personnel present clear, complete and accurate information to potential enrollees. This includes ensuring that the marketing information has been approved by, and complies with all requirements of, the Department of Managed Health Care, in the case of commercial business, or the Centers for Medicare and Medicaid Services, in the case of Medicare business.

NMM employees shall:

- Comply with applicable Federal and State laws, regulations, guidelines and NMM policy, including the Medicare Marketing Guidelines, with respect to all marketing, sales and enrollment activities.
- Always place the best interests of potential enrollees above personal financial interests.
- Present clear, complete, accurate information, and ensure that potential enrollees have the opportunity to make a well informed enrollment decision. This includes utilizing only marketing materials and information that have been approved by, and comply with all requirements of, NMM and CMS.
- Avoid providing any information or engaging in conduct that might in any way misrepresent NMM or its programs, or mislead, confuse, coerce or pressure potential enrollees. An example of misrepresentation by an agent would be to tell potential enrollees that the agent works for or is contracted with Social Security Administration or CMS.
- Never offer cash payments, gifts, bribes or kickbacks to any person or entity to induce enrollment in plans or programs.
- Never engage in door-to-door solicitation of Medicare contracted products or programs.

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Quality & Accessibility of Health Care

NMM employees shall:

- Comply with applicable Federal and State laws, regulations, guidelines and NMM policy, including the Medicare Marketing Guidelines, with respect to provision of quality health care to IPA members.
- Make all decisions regarding provision of care or payment for services in a timely manner with professionally recognized standards, without regard for fiscal concerns.
- Never create or contribute to situations, either through action or failure to act, that could promote underutilization or poor quality of care
- Ensure at all times that providers are properly licensed and credentialed prior to providing services to IPA members.
- Ensure that all covered services are available, accessible, & appropriately delivered to IPA members.

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Utilization Management & Fraud

UM Fraud Issues and examples are:

- Billing for services not rendered, non-covered services as covered service
- Misrepresenting dates, location, provider of service
- Waiving of deductibles and/or co-payments
- Incorrect reporting of diagnoses or procedures (including unbundling)
- Overutilization of services
- In-network provider profiling specifically for UM process
- Corruption (kickbacks & bribery)
- False or unnecessary issuance of prescription drugs

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Workplace Conduct and Safety

NMM employees shall, at all times while on the job or otherwise representing NMM:

- Conduct themselves professionally and treat all fellow employees, members, FDRs, or other individuals they encounter in the course of their duties, with appropriate courtesy, dignity, and respect.
- Avoid any type of behavior or conduct that could be construed as discrimination or harassment due to age, ethnicity, gender, religion, national origin, disability, sexual orientation, or covered veteran status. Any form of harassment, sexual or otherwise, including the creation of a hostile working environment, is completely prohibited.
- Follow safe work practices and comply with all applicable safety standards and health regulations.

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Department-Specific Compliance Standards and Operational P&P

- In addition to the standards and requirements described in these Standards of Conduct, compliance standards and operational policies and procedures specific to each NMM department will continue to be incorporated into department-specific manuals (and/or other appropriate media), and kept current with applicable Federal and State laws and regulations.
- The department-specific policies and procedures are a resource for the employees of each department, designed to enhance their ability to perform their duties in accordance with NMM's policies and applicable Federal and State laws and other requirements.
- Each department has defined and assigned responsibility for (i) the timely updating of the policies and procedures, (ii) the necessary training and education of affected personnel, and (iii) the completion of monitoring and audit work plans as designated by the Compliance Officer to ensure ongoing compliance.

Reporting and Investigation

- NMM considers adherence to these Standards of Conduct to be of paramount importance, because establishing and maintaining a reputation for honest, ethical business practices is a key NMM corporate value.
- Furthermore, engaging in illegal activity or improper conduct may subject NMM to severe civil and criminal penalties, including large fines and exclusion from certain types of business.
- It is therefore crucial that any suspected illegal activity or improper conduct, including violation of these Standards or any other NMM policy, be promptly reported and thoroughly investigated.

Reporting concerns timely is critical so they can be addressed at the earlier possible stage.

Reporting and Investigation

Duty to Report – If you answered “NO” to any of the questions feel free to seek guidance from your manager or contact compliance for advice

How do I know if doing something may be unethical or violate the spirit of our Code?

Ask yourself the following questions:



Reporting and Investigation

Duty to Report

- NMM employees who become aware of any suspected illegal activity or improper conduct are required to immediately report the illegal activity or improper conduct through appropriate channels.
- NMM employees should report suspected illegal activity or improper conduct to their supervisor, or directly to the NMM Compliance Department.
- Suspected illegal activity or improper conduct may be reported to the NMM Compliance Department by:

Email-FWA@nmm.cc Call - **Compliance Hotline at 626-943 6286**, or directly report to **Compliance Officer Jo Espino at 626-943-6266**.

You may submit your report confidentially and anonymously

- Failure to report suspected illegal activity or improper conduct is a violation of these Standards, and may be a violation of Federal and/or State law.
- NMM has developed detailed reporting and investigation policies: [Reporting Marketing Misrepresentation](#), and Compliance Policy #17 -[FWA Reporting](#). All NMM employees are expected to be aware of and abide by the requirements of these reporting and investigation policies.

Reporting and Investigation

Anonymous Reporting

NMM employees may report suspected illegal activity or improper conduct anonymously.

- To the extent permitted by Federal and State law, NMM will take reasonable precautions to maintain the confidentiality of those individuals who report illegal activity or improper conduct, and of those individuals involved in the alleged violation, whether or not it turns out that improper acts occurred.
- Failure to abide by this confidentiality obligation is a violation of these Standards.

Reporting and Investigation

Investigations and Duty to Cooperate

It is NMM's policy to promptly and thoroughly investigate all reports of illegal activity or improper conduct. Detection of potential or actual issues related to compliance, ethical conduct, or other measurable areas of performance shall result in the initiation of appropriate corrective action. Any action, or lack of action, that prevents, hinders, or delays discovery and full investigation of suspected illegal activity or improper conduct is a violation of these Standards, and may be a violation of Federal and/or State law.

- Internal investigations will include interviews and review of relevant documents. NMM employees are required to cooperate fully with, and disclose all pertinent information with regard to any investigation of suspected illegal activity or improper conduct.
- NMM, its employees shall cooperate with appropriate government investigations into possible civil and criminal violations of Federal and/or State law. It is important, however, that in this process NMM is able to protect the legal rights of the Company and its personnel. **To accomplish these objectives, any governmental inquiries or requests for information, documents, or interviews must be promptly referred to the NMM Compliance Officer.**

Reporting and Investigation

Protection from Retaliation

NMM ensures that employees may report or assist investigation of suspected illegal acts or improper conduct without threat of negative consequences.

- No retaliation, reprisals or disciplinary action will be taken or permitted against NMM employees for good faith participation in the Compliance Program, including but not limited to reporting potential issues to appropriate authorities, cooperating in the investigation of suspected illegal activities or improper conduct, and conducting self-evaluations, audits and remedial actions. Whistleblowers are protected from retaliation.
- Failure to abide by this prohibition against retaliation or reprisals is a violation of these Standards, and may be a violation of Federal and/or State law.

Disciplinary Action

NMM employees who engage in illegal activity or improper conduct, including violation of these Standards or any other NMM policy, are subject to disciplinary action including oral or written warnings or reprimands, suspensions, termination, financial penalties and potential reporting of the conduct to law enforcement.

If employees self-report their own illegal actions or improper conduct, NMM will take such self-reporting into account in determining appropriate disciplinary action..

You've completed the lesson!

You have now learned about our Standard of Conduct.

