

# Ethics Every Day

for Contracted Healthcare Providers and Third Parties

Effective January 2025



This document is reviewed annually, and the minimal material changes over the 2024 version are clarified on page 3.

This document is an extension of your organization's agreement(s) with Humana or a Humana-related entity. This means your organization must comply with what is outlined within it and provide this publication or an updated, materially similar document to all employees and third parties who support Humana's Medicare and/or Medicaid products as part of our relationship.

## You have help

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

## You know what to do

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

## You are safe from retaliation

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

**Humana**<sup>®</sup>

# Values + Ethics = health first



Dear partner in Ethics and Compliance,

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

Humana's goal is to put health first. To achieve this goal, we must remain steadfast in our commitment to act with integrity and achieve the highest ethical standards, something we have been doing for more than 50 years. The values we share, along with a set of clear ethical principles, help us to make good decisions every day. It takes all of us working together, living our values, taking ownership of our actions, and following state and federal laws that govern our industry to put health first.

This document outlines our program's standards of conduct requirements for you.

Our Enterprise Compliance Program will help you with questions or concerns. You can reach out to your leader, another leader outside your team, your organization's reporting methods or Humana's Ethics Help Line (**1-877-5-THE-KEY** or [www.ethicshelpline.com](http://www.ethicshelpline.com)). The Ethics Help Line is staffed by independent advisers who offer a confidential and anonymous way to report suspected violations and get answers to questions about specific situations.

Thank you for your ongoing efforts.

Sincerely,

## Humana's values

- Caring
- Curious
- Committed

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



Kurt J. Hilzinger  
Chairman of the Board



Jim A. Rehtin  
President and  
Chief Executive Officer



Sean J. O'Reilly  
Chief Compliance Officer

# Staying on track

## Key requirements and takeaways

- While this document contains some information related to combating fraud, waste and abuse (FWA), this document is not FWA training.
  - FWA training of all supporting Humana must occur. It must be either instructor-led or guided via an interactive computer module, as those approaches assure key takeaways are understood and retained via knowledge checks.

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

You are required to	Where addressed
Make ethical decisions	5
Report suspected noncompliance with the Standards of Conduct or any applicable law or regulation	5, 6, 7
Be familiar with the concepts of fraud, waste, and abuse (FWA)	8
Not make business decisions motivated by personal considerations or relationships	9
Refrain from discussing, giving, or offering anything of value, including employment, to anyone on Humana’s behalf, unless permitted by law or Humana policy	9
Treat Humana customers, including member representatives and caregivers, with respect and make every effort to protect their health, safety, and welfare	10
Not intimidate or retaliate against anyone you interact with in performing your role for Humana	11
Protect beneficiary, member, and Humana information	12
Follow all applicable laws, rules, and regulations	13
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Model ethical behavior and foster an ethical and compliant culture	6
Not employ or contract with ineligible parties	8
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### Key points of notable changes – No new requirements, just clarifications of existing Humana policy

**Throughout** – Replaced the term ‘associates’ with ‘employees’, when referring to Humana personnel.

**Page 3** – *Staying on track* – Clarified that: **a)** This page contains not only key requirements but key takeaways; **b)** and **c)** This document contains some content to help combat FWA, but not all, and is not FWA training.

**Page 4:** Clarified that Third Parties can include those designated as Subcontractors due to support of a Medicaid contract.

**Page 6:** Clarified what constitutes an ethical violation.

**Page 7** – *You have help* – Clarified and stated why all organizations supporting Humana: a) do not have to offer a Humana method to report suspected ethics, compliance and FWA violations to their organization; yet b) Humana methods are offered; c) are expected to also or only offer a method that is not Humana’s; d) must use one of Humana’s methods on an organizational level (when there is a confirmed violation).

**Page 7:** Removed fax number for the Privacy Office, added a phone number as another contact to report a suspected/detected privacy or security breach and clarified what constitutes such an incident.

**Page 8:** Provided examples of FWA and defined ‘Whistleblower’

**Page 9** – *Conflicts of interest* – Clarified that a conflict of interest that could adversely impact support of Humana are prohibited, yet the responsibility to evaluate a possible conflict of interest belongs to your organization, not you. This includes either requiring the conflict to be removed or, as needed, requesting approval from Humana to continue support of Humana despite the conflict.

**Page 10** – *Cultural competency* – Clarified that interactions with Humana employees must be conducted in a culturally-competent manner.

**Page 13** – *Contracting obligations* – Clarified the main reasons to notify Humana of any aspect of an offshore arrangement are to assure sufficient awareness and/or proper information safeguards are in place and, when applicable, timely reporting to a Government agency.

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

## KEY TERMS

Most key terms are self-explanatory or clarified in a section where they appear. e.g., Ineligible parties, conflicts of interest, breach, etc. However, you will see some terms below throughout this document, so those are defined as follows:

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

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

**Humana (or the company)** – Humana Inc. and its subsidiaries and affiliates.

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

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

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

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

**Fraud** – Knowingly and willfully executing, or attempting to execute, a scheme or artifice to defraud any healthcare benefit program or to obtain (by means of false or fraudulent pretenses, representations or promises) any of the money or property owned by, or under custody or control of, a healthcare benefit program (18 U.S.C. § 1347).

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



# Our expectations

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## Who should read this document

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

## Our principles

This document is closely aligned to the standards of conduct (Ethics Every Day) distributed to Humana’s employees. That document is also publicly available here:

<https://humana.gcs-web.com/corporate-governance>

Both versions reaffirm our commitment to integrity as the cornerstone of behavior for anyone who acts on our behalf. Understanding this commitment and willingness to raise ethical concerns are essential to the well-being of all to whom Humana offers services, as well as the success of both your organization and Humana.

It is important to conduct ourselves in an ethical, legal, and above-board manner. The quality of healthcare providers’ and third parties’ products and services affect the quality of Humana’s products and services.

## Keep in mind

No matter what the situation:

- Remember the ripple effect— your actions have an impact on everyone around you.
- Do not forget it is OK to ask— if something does not feel right, use the resources identified in this policy to share your concerns.

# You know what to do

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

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

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

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

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

## Phrases you hear or read that may signal a potential problem

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

"Well, maybe just this once ..."

"Nobody will ever know."

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

"Everyone does it."

"What's in it for me?"

"Don't contact the Ethics Help Line."

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

## Ethical violations spelled out

Ethical violations include, but are not limited to, violations of laws or policies; dishonest or unethical behavior; conflicts of interest that could interfere with proper support of Humana business, fraud, waste or abuse; questionable accounting and internal controls; criminal misconduct or any suspicious activity.

### Questions to ask yourself

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

- Am I following approved company practices?
- Am I causing harm to someone?
- Can I defend my actions to my leader, co-workers, others inside and outside of Humana, and the public?
- Am I appropriately protecting information about the company from disclosure to external or internal parties?
- Am I protecting the information of Humana's, members, patients, clients, and shareholders, as well as those designated to support Humana?
- Am I living up to my personal code of behavior?
- Will my actions create a conflict of interest or give the appearance of being illegal or unethical?
- Will my actions bring discredit, scrutiny or adverse consequences to any co-workers, employees of Humana, Humana or my organization, if disclosed to the public?

### Leaders' responsibility

We expect leaders to set the example:

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

# You have help



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

Sometimes it is hard to report concerns or admit you do not know something. That is why Humana makes it easy to be heard. If you suspect an ethical violation of any sort – whether it is a Humana or your organization’s policy, a law or even just questionable conduct, you are obligated to report it. Choose the option you feel most comfortable using.

## Resources

For raising issues, asking questions, and reporting suspected violations:

- **Leader:** Ask your leader for advice.
- **Other leadership:** Speak to the next level of leadership or higher.
- **Other methods that assure anonymity**

Use of any Humana reporting method is not required on an individual level, but one of them must be used on an organizational level when there is a confirmed violation.

## **Humana expects all organizations supporting Humana to have at least their own, reporting method not offered by Humana.**

Why? Each organization is best equipped to handle an initial review involving someone within the organization designated to support Humana business, so corresponding action can be taken in the timeliest manner. Also, any reports to Humana that do not pertain to Humana business are not in scope for Humana, which means they must not be reported to Humana. However, what is reported to Humana via one of the following methods, AND pertains to Humana, shall be reviewed:

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

## Privacy or security breaches\*

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

**A Humana third party with a signed Business Associate Agreement with Humana must report to Humana any potential Security Breach of Unsecured Protected Health Information without unreasonable delay and in no case later than five (5) calendar days after discovery of a Security Breach.**

As defined in the Business Associate Agreement, this is the unauthorized acquisition, access, use or disclosure of Protected Health Information which compromises the security or privacy of such information, except where an unauthorized person to whom such information is disclosed would not reasonably have been able to retain such information.

All information included when reporting the breach is outlined in the Business Associate Agreement. Any of the following methods may be used to report the potential breach to Humana:

### Mail

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

### Phone

1-502-580-3700

### Email

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

# Fraud, waste and abuse (FWA)

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

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

**Humana has zero tolerance for any activity that constitutes fraud, waste or abuse and expects the same of its third parties.**

Even if you do not intentionally lie or misrepresent facts, your actions could result in waste or abuse if anyone, including you, is paid by the healthcare system without being actually entitled to the money.

The government can impose a civil penalty requiring payment of financial damages and, in some cases, a criminal penalty in the form of a prison sentence for fraud, waste and abuse.

Also, anyone who knowingly (which includes deliberate ignorance or reckless disregard of the truth) submits, or causes someone to submit, a false or fraudulent claim for payment to the government violates the False Claims Act.

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

## Requirement to report FWA

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

## Some types of fraud:

CLAIMS: filling fictitious claims, including medical and pharmacy claims

IDENTITY THEFT: stealing another person's identity, physician's ID numbers or prescription pads

DOCTOR SHOPPING: visiting multiple doctors or emergency rooms for narcotics

PROVIDER FRAUD: billing false claims, adding modifiers or up-coding, coding without supporting documentation, documenting/billing visits not provided, improper/inaccurate assessment data used to determine reimbursement, admitting patients that are not eligible for care

MISREPRESENTATION: misrepresenting personal information to enroll in a plan

BILLING: submitting false claims, pass-through billing

AGENT FRAUD: enrolling individuals in a non-existent plan, offering cash payments to enroll, conducting unsolicited door-to-door marketing of Medicare Advantage or prescription drug plans or misrepresenting plans

## Whistleblowers

A whistleblower is someone who reports suspected or detected misconduct that would be considered an action against company policy or federal or state rules, laws or regulations. In the context of the False Claims Act, whistleblower protections apply to actions taken to prevent False Claims Act violations. These whistleblower protections prevent retaliation against the whistleblower. If any retaliation does occur, the whistleblower has a right to obtain legal counsel to defend the actions he or she has taken.

# Ineligible parties

The government prohibits contracting with or employing entities and individuals that have been or are:

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

These entities and individuals are ineligible for having or supporting any contractual relationship with Humana.

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



## The bottom line

Third parties must not employ or contract with ineligible parties to support Humana business.



# Conflicts of interest

All entities and individuals supporting Humana are required to avoid conflicts of interest that could compromise the completion or integrity of work to be performed. Having a conflict of interest is not necessarily a violation of this document, but failing to disclose the conflict to your organization is a violation. Third parties must have a policy and procedure in place for those supporting Humana to disclose to your organization any conflict of interest that could adversely impact Humana. Information on conflicts must be collected at hire, annually, when a previously disclosed situation changes, or when a new potential conflict arises. Your organization is responsible for evaluating a possible conflict of interest. This includes either requiring the conflict to be removed or, as needed, requesting approval from Humana to continue support of Humana despite the conflict.

## Possible conflicts of interest

- Outside employment and activities
- Relationships with other employees and downstreams
- Business affiliations

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

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



### The bottom line

Inform your leader of any questionable activity, interest or relationship as soon as you become aware of it.

# Gifts, favors, travel and entertainment

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

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

**Clarifications:** Accepting gifts from or giving gifts to the following is prohibited:

- 1) A third party having either of the following:
  - a) a contract with a government agency to support the contract Humana has with the agency; and/or
  - b) a contract with Humana to support that government business; and/or
- 2) any individual representing an above referenced third party or performing or slated to perform work for that third party's support of the government contract.

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

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

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

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



### The bottom line

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

# Working with Humana customers



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

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

**Steve Amshoff**

**1-877-320-1235 (toll-free)**

- Option 1 for English
- Option 2 for Spanish

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



## The bottom line

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

## Cultural competency

Interactions in a culturally-competent manner are required in all situations. This applies to interfacing with members of a plan administered by Humana, Humana employees or customers. This also includes beneficiaries who are prospective members, member representatives and caregivers. This expectation applies to not just healthcare practitioners, but all who support and interact with any of the above. Meeting this requirement includes:

- Understanding cultural differences and economic disparities in the populations you work with as part of your responsibilities to Humana
- Being knowledgeable about how to work with people from a variety of cultural and economic backgrounds and sensitive to any ongoing clinical challenges that may be in addition to the reason for their seeking treatment or guidance
- Being aware that you may have cultural biases or misperceptions, and if so, not letting them interfere with serving Humana members or Humana employees in a respectful, fair and timely manner

If your organization needs access to interpretation services for Humana beneficiaries to perform a function for Humana, either:

- a) call Humana; or
- b) request the member provide your organization with the phone number listed on the back of the member’s Humana identification card.

## Safety and welfare

Every effort must be made to protect the health, safety and welfare of members of a plan administered by Humana. This includes being aware of the signs and symptoms of the following:

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

Certain populations, such as the elderly and disabled, are at increased risk for these situations. So it is imperative to not dismiss any personal concerns.

## Reporting suspected abuse, neglect, or exploitation

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

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

# You are safe from retaliation

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## Investigation of suspected violations

Humana promptly investigates any reported or suspected violations of this document, Humana policies or procedures, or applicable laws, rules, or regulations. The confidentiality of the reporter and the reported issue is maintained to the greatest extent possible during investigation/resolutions. You are expected to cooperate fully in any investigation of an alleged violation. If you want to remain anonymous, please provide enough information in your initial report to allow Humana to investigate the issue.

## Prohibition against retaliation

Humana strictly prohibits intimidation and/or retaliation against any associate, of a third party who, in good faith:

- Reports a suspected or detected violation of ethical standards, Humana policies or applicable laws, rules or regulations

**or who**

- Participates in the investigation of a suspected or detected violation

If you suspect that retaliation is occurring or has occurred, you must report it to the Ethics Help Line. Contact information is on Page 7.

Additionally, someone who reports information to identify or prevent False Claims act violations may be considered a 'whistleblower'. If so, this person has additional protections under the law, including the right to obtain legal counsel to defend these actions.

# Disciplinary standards

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

Third parties must take prompt, appropriate disciplinary actions for employees and downstreams found to be in violation, up to and including termination of contract or employment. When there is or could be an impact to Humana, the actions must be reported to Humana. Humana may take additional action if deemed necessary. When Humana becomes aware of a violation, Humana will determine whether to report it to applicable parties. These may include any of the following: the Centers for Medicare & Medicaid Services (CMS), CMS designees, other regulatory agencies, including state Medicaid agencies and/or law enforcement.

**Examples of conduct that may result in disciplinary action include, but are not limited to:**

- Authorizing or participating in action that violates this document or Humana policies
- Failing or refusing to report a suspected violation of this document or Humana policies
- Refusing to cooperate in an investigation of an alleged violation of this document or Humana policies
- Failing as a leader to detect or report a suspected or actual violation of this document or Humana policies, if such failure reflects inadequate leadership or lack of oversight
- Retaliating against an individual for reporting or participating in the investigation of a violation or suspected violation of this document or Humana policies

# Handling of information

There are different types of information and requirements specific to each type exist, based on whether it is public, internal, restricted, or confidential. For every type, handling of information while performing functions for or related to Humana must uphold trust in Humana by assuring you manage Humana data by utilizing a framework comprised of:

**Data Governance:** Maintaining effective practices to ensure accountability, data quality, ingesting and distributing data only through trusted sources. Providing accurate and truthful information in any transaction is required.

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

**Privacy:** Allowing appropriate access on a need-to-know basis and using and disclosing data in accordance with state and federal requirements.

**Security:** Employing technical safeguards to secure protected health information appropriately from an information technology perspective, and enforce appropriate controls, while organizational policies and processes need to be in place to assure information is properly stored, transferred, or discarded, if retention requirements have been satisfied.

Links to referenced government regulations are in the Compliance Policy.

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

## Policies and procedures

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

Third parties are expected to have measures in place to affirm sufficient handling of information.

A few examples are:

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

## Information disclosure

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

## Your concerns

If you and/or your organization question whether handling of any information is proper or believe someone has asked or advised to withhold information from auditors, that must be reported immediately. Humana recommends contacting the Ethics Help Line via one of the following methods:

**1-877-5-THE-KEY**

OR

**[www.ethicshelpline.com](http://www.ethicshelpline.com)**

## Reporting a privacy or security breach

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



### The bottom line

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

# Foundation for approach to business

## Overview

The approach to business starts with laws and regulations. Those that impact Humana's operations are ones you and your organization need to be familiar with to sufficiently fulfill contractual obligations to Humana.

Examples of such laws and regulations include, but are not limited to, these topics:

- **Prohibitions on:**

- Inducing referrals or recommendations related to an item, service or plan enrollment paid for in whole or in part under a federal or state healthcare program. This could take many forms, such as gifts, rebates, etc.
- Filing or conspiring to file false claims.
- Retaliating against someone who reports suspected misconduct.
- Improperly using cash value options of a covered product to facilitate money laundering or finance terrorist activity.

- **Requirements and restrictions regarding:**

- Doing business with the government, accrediting agencies, and foreign governments, contractors, or consultants.
- Receiving contractor bid or proposal information that would give Humana an unfair competitive advantage.
- Giving, discussing, or offering anything of value, including employment, to a procurement official.

You, your organization and all those your organization contracts to perform functions to meet obligations to Humana must never:

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

Direct requests for clarification to:  
**compliance@humana.com**

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

Humana's policy is to avoid even the appearance of impropriety. Related violations committed by anyone designated to perform a function to meet obligations to Humana could be punishable by fines and imprisonment, loss of government contracts and/or suspension or exclusion from participating in federal procurement opportunities.

## Contracting obligations

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

### Note:

There are also specific Government requirements around performing work offshore to support a Humana contract.

- For additional information, please refer to the Compliance Policy.



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We thrive together



**We stay** aware and understand the consequences of our actions.

**We expect** our leaders to set the example.