

Policy Number	Policy/Operational Procedure Name		
COM.0004.v1.2	Compliance Inquiries, Investigations and Non-Retaliation		
Sponsor		Custodian	
Rachel Davis		Rachel Davis	
Department Name		Company Name	
Compliance		Alivi	
Effective Date (s)	Review Date	Next Review Date	
November 20, 2019	1/9/2024	1/9/2025	
Approved By	Policy Location	Citation	
Board of Directors	AliviNet - Corporate Compliance	Medicare Managed Care Manual, Chapter 21	

<p><b>Policy Statement</b></p> <p>To further Alivi's commitment to ethical and compliant conduct through steadfast protection of individuals who report potential issues of non-compliance from retaliation (and the right to remain anonymous), in fulfillment of their duty to report known or suspected non-compliant behavior. Escalation of potential non-compliance or violations, made in good faith, shall not be subjected to any type of retaliation by Alivi or any of its employees, managers, directors or members of the Board of Directors.</p>
<p><b>Scope</b></p> <p>Outline consistent protocols for the effective and appropriate handling of Compliance investigations and inquiries and reiterate Alivi's commitment to its policy of non-retaliation.</p>
<p><b>Procedure</b></p> <p>Alivi is committed to the prevention and detection of any illegal and unethical misconduct that could potentially lead to non-compliance affecting the clients and members it serves. Employees, Contractors, and Board(s) of Directors are bound by the Alivi Code of Business Conduct and Ethics (the "Code") and are obligated to alert the company, through any published means of reporting, any suspected or known instance of misconduct, Code violation, and/or policy or legal infractions, and allow the Alivi Compliance Department adequate opportunity to implement the requisite corrective, disciplinary and notification actions. Alivi recognizes an essential element of an effective compliance program is a culture in which affected individuals are safe to raise concerns and report suspected misconduct without fear of retribution, harassment or retaliation for doing so.</p> <p>Allegations may be oral or written and any individual making the allegations may do so anonymously and without fear of retaliation. To support a thorough inquiry and/or investigation, allegations must include sufficient details so that an inquiry and/or investigation can proceed. Each alleged instance of non-compliance is evaluated and resolved appropriately, as further outlined in this Policy.</p>
<p><b>Duties, Rights and Protections</b></p> <p><b>General</b> Alivi maintains a Compliance Program, including a Code, to provide a framework for achievement of consistently high business ethics and compliance.</p> <p><b>Reporting Responsibility</b> Employees, contractors and members of the Board of Directors are responsible for compliance with the Code. Individuals certifying annually to adherence to the Code are not only encouraged, but also required, to promptly report suspicion of misconduct to either an immediate supervisor or department head, to the Compliance Department or General Counsel to begin the inquiry and investigation process.</p>

## **No Fear of Retaliation**

No one shall suffer harassment, retribution, retaliation, or any consequence in response to, his or her good faith reporting of a potential non-compliance issue. Anyone who retaliates against someone who has reported suspicion of non-compliance, in good faith, may face disciplinary action, up to and including termination.

## **Reporting of Potential Non-Compliance**

Alivi has an open-door policy and invites each to share their concerns, suggestions, questions or complaints with someone who is authorized to address them appropriately. In many cases, an immediate supervisor or department head is in the best position to address most areas of concern. However, if you are not comfortable reporting a concern to an immediate supervisor or department head, or if you are not satisfied with the response from the supervisor or department head, you may always report concerns directly to the Compliance Department, Human Resources Department or General Counsel. The Compliance Department will evaluate reported allegations and will maintain a log of the date received. As warranted, an investigation will be conducted regarding an allegation reported in accordance with the procedures outlined herein.

## **Compliance Officer**

The Compliance Officer, individually or as may be delegated to associates of the Corporate Compliance Department, is responsible for investigating compliance concerns and allegations of non-compliance. The Compliance Officer shall have direct access to the Compliance Committee of the Board of Directors and is required to report to the Committee on compliance activity on at least a quarterly basis.

## **Compliance Committee of the Board of Directors**

The Compliance Committee of the Board of Directors shall be informed of and address all reported concerns and complaints regarding corporate accounting practices, internal controls and auditing. The Committee will remain involved in, and informed about, the inquiry and investigation process until such matters are resolved.

## **Acting in Good Faith**

Anyone making a report of potential non-compliance must do so in good faith and have reasonable grounds for believing the information they are reporting is factual and true. Providing information or allegations that are found to be knowingly false is viewed as a serious disciplinary offense. Malicious reports of knowingly false allegations will not be tolerated and is grounds for disciplinary action, up to and including termination or removal.

## **Confidentiality**

The information provided by any individual related to an inquiry or investigation will remain confidential, regardless of whether the individual chooses to remain anonymous or provides his or her contact information, to the extent that such strict confidentiality does not conflict with Alivi's obligation to conduct a full and complete investigation, and/or to cooperate with federal, state, or local law enforcement in the their investigation.

## **Inquiry and Investigation of Misconduct**

If the reporting individual provided contact information, the Compliance Department will promptly notify that person and acknowledge receipt of the report.

Protocols have been established by the Compliance Department to ensure investigations are performed in a timely and complete manner, including but not limited to the following:

- Investigations will be staffed and conducted as consistently as possible as determined by the Compliance Officer.
- The Compliance Department shall regularly update executive leadership on the status of an investigation of potential non-compliance, including external and potential internal fraud investigations, as may be appropriate.
- External legal counsel may be retained, as appropriate, in cases of government investigations, internal fraud against Alivi or government, and external fraud against Alivi or government and the resulting investigation will be conducted on behalf of the General Counsel to provide advice to Alivi in anticipation of litigation.
- In any case initiated by an identified individual, the individual will not be advised of the status of the investigation (other than advising of receipt of the complaint) while it is ongoing; however, Alivi reserves the right to request additional information from said individual, as may be needed, to facilitate a thorough investigation.

## **Government Investigations of the Company and/or its Associates**

The Chief Executive Officer, as well as the Compliance Officer and General Counsel, will receive immediate notice of any contact by the government advising Alivi of an investigation.

Government subpoenas will be processed and handled through General Counsel. General Counsel will coordinate a core response team (comprised of company leadership) to gather materials for response to a government investigative action (e.g., search warrant, attempt to interview associates, grand jury/subpoena) directed to the Company.

**Fraud against Alivi and/or the Government by Employees or Contractors**

The Compliance Officer and the General Counsel, as may be required, will decide:

- Whether to hire external legal counsel.
- Whether to hire outside investigators.

**Conducting the Investigation**

General counsel (internal as well as external, as appropriate) will participate in any critical interview and all other interviews conducted in furtherance of request by counsel and documented as such. Interviews will be summarized in a report of the investigation and maintained as part of the investigation file and appropriate attorney/client protections will be put in place. Evidence will be maintained by General Counsel or Compliance, as may be appropriate and safeguarded pursuant to established procedures.

The progress of an investigation will be periodically reviewed with executive leadership to determine the Company's obligation to voluntarily disclose and/or refer the case to law enforcement and/or state and/or federal regulatory agencies.

CMS requires a reasonable inquiry be initiated as quickly as possible, but not later than 2 weeks after the date the potential noncompliance or potential FWA incident was identified.

**Concluding the Investigation**

The case will be recommended for closure by the lead investigator with approval of General Counsel and the Compliance Officer, as may be appropriate.

Employee discipline, as appropriate, will be imposed at the direction of the Compliance Department, in conjunction with Human Resources, according to Alivi's policy on discipline.

If required, voluntary disclosure to law enforcement and/or state and federal regulatory agencies will be made by General Counsel, in collaboration with the Compliance Officer, as may be appropriate.

The Compliance Officer, in collaboration with General Counsel, and when appropriate Human Resources, will determine, based on the investigation, what mitigating and remedial actions must be taken to prevent future non-compliance.

**Preserving Records of Investigation**

Alivi will maintain records of each investigation which will include the source of an allegation and a summary of the investigation, findings, and recommendations for remedial action, as well as the final resolution.

RELATED POLICIES OR DOCUMENTS:

Revision Record			
Revision Date	Version Number	Revised by	Revision Description
11/11/2019	v1	Laurie George	Prepared for Board approval
11/20/2019	v1.1	Laurie George	Added effective date based on Board approval
11/19/2020	V1.1	Maria Kreubel	Reviewed , no changes made.
11/29/2021	V1.1	Chelsea Garrett	Updated custodian and location
1/19/2013	V1.1	Rachel Davis	Annual Review; updated custodian.



1/9/2024	V1.2	Rachel Davis	Annual Review; Added CMS requirement of investigation timeline
----------	------	--------------	--