



# UCare Code of Conduct

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people powered health plans

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# A. Who we are

# Message from the CEO

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Dear fellow UCare Employees:

Quality, honesty, and integrity in everything we do are important values to all of us at UCare. Each day we commit to providing the best quality health coverage and services in keeping with our mission and corporate values. A major part of this effort is being aware of and following the constantly changing regulations and requirements that affect our business.

The Code of Conduct is a key element of UCare's Compliance & Ethics Program. It is rooted in our mission and values, and reaffirms the professional, ethical standards that exist at UCare. We expect that all subcontractors and those who perform delegated services also act in an ethical and compliant manner, consistent with our Code of Conduct.



Our Code of Conduct is designed to serve the following purposes:

- To communicate the commitment of UCare's Leadership to compliance with laws, regulations, policies, ethical business practices and the basic standards expected in the workplace;
- To ensure that all employees understand their responsibility for keeping UCare in full compliance with these laws, regulations and ethical standards, and how they are critical to UCare's Compliance & Ethics Program; and
- To serve as a resource to assist employees when they have questions.

The Board of Directors and senior leadership team of UCare join me in pledging our full commitment to upholding the Code of Conduct and our Compliance and Ethics Program as we seek to fulfill our mission of ensuring excellent health coverage and services for our members.

Sincerely,

A handwritten signature in black ink that reads "Hilary Marden-Resnik". The signature is fluid and cursive, written on a white background.

Hilary Marden-Resnik  
Interim CEO  
UCare

## About UCare

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UCare is an independent, nonprofit health plan providing health coverage and services across Minnesota and western Wisconsin. Working in partnership with health care providers and community organizations, UCare serves:

- Individuals and families choosing commercial health coverage through Individual and Family Plans
- Medicare-eligible individuals
- Individuals and families enrolled in Minnesota Health Care Programs, and other state programs

## Our mission

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Our mission is to improve the health of our members through innovative services and partnerships across communities.



## Our values

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**Integrity** UCare stands on its reputation. We are what we say we are; we do what we say we will do.

**Community** UCare works with communities to support our members and give back to communities through UCare grants and employee volunteer efforts.

**Quality** UCare strives to continually improve our products and operations to ensure the highest quality of care for our members.

**Flexibility** UCare seeks to understand the needs of our members, providers, and purchasers over time and to develop programs and services to meet those needs.

**Respect** UCare respects its members by providing quality care and services that recognize their unique needs. UCare respects its employees by providing a supportive work culture that encourages their development and embraces their diversity.

## The compliance and ethics program

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UCare is committed to maintaining the highest level of ethics and complying with all applicable federal, state, and local laws, rules, and regulations, and has developed a Compliance & Ethics Program (“Program”) to support this aim. The Program is designed to strengthen a culture that promotes prevention, detection, correction and reporting of non-compliance, and provides oversight and governance to all functional areas through education and enforcement of requirements communicated in this Code of Conduct, company policies and standards.

UCare’s Program exists under the authority of UCare’s Board of Directors. The Vice President, Chief Compliance & Ethics Officer is charged with maintaining an effective, ongoing Program with guidance from the Compliance Oversight Committee, the Compliance Committee of the Board, and other related committees.

## B. Our obligations under the code of conduct



UCare's Board of Directors and management team are committed to the principles described in this Code of Conduct and to maintaining a culture of compliance. Please carefully read this Code of Conduct and know that UCare expects you to understand and use this document as a guide for your work.

## About the code of conduct

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The Code of Conduct ("Code") is a statement of UCare's most important ethical and legal expectations for our employees, business partners, contractors, and delegates. It is also a resource for understanding how we conduct ourselves in day-to-day business activities and enables us to integrate ethics and compliance into our everyday work. Together, UCare's mission, values and Code express a consistent message of doing the right thing for our members, providers, coworkers, business partners and government agencies.

The Code applies to everyone at UCare, no matter their role, including the Board of Directors, full- and part-time employees, temporary employees, and contractors.

## Know and comply with the code

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At UCare, we operate with integrity, transparency, and accountability. We must be respectful, truthful, and genuine in our interactions with our many stakeholders. Our individual actions always reflect UCare values and must always follow our Code, our company policies and all applicable laws and regulations. We should know the policies and regulations that are applicable to our individual roles and must complete all required compliance training.

## Make ethical decisions

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To support an ethical culture, we must understand what to do when faced with an ethical or compliance-related dilemma. We never compromise ethical standards to meet personal or company goals, and never commit, or ask others to commit, unethical or illegal acts.

Seek out available resources such as this Code and company policies and procedures which can be found on the UCare Hub intranet site. Ask questions until you have the information necessary to make decisions that comply with UCare standards and any applicable law or regulation.

**If you cannot find an answer** in the Code or company policies and procedures, or if you have questions on how to apply or interpret these resources, please seek guidance from your leader or the Corporate Compliance Department at [compliance@ucare.org](mailto:compliance@ucare.org) or 612-676-6525 or 877-826-6847 (toll free).

### STEPS TO BETTER ETHICAL DECISION-MAKING

If you are unsure whether an action is appropriate, think about and consider the following questions. If the answer to any of them is “no,” stop and seek out further guidance from your leader or the Corporate Compliance Department if necessary.

- Is my action honest and fair?
- Have I anticipated the consequences of my action on those most affected by it?
- Is my action legal?
- Would I feel comfortable if this appeared in a news headline?
- Does my action comply with my department’s procedures?
- Does my action reflect UCare’s values and culture?
- Have I gathered all needed information and sought helpful advice?
- Would management approve this action?

## Report suspected violations

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### SPEAK UP!



If you are aware of a situation, action, or inaction that you suspect or believe in good faith to be in violation of this Code, any law or regulation, or UCare policy, you must report the issue to your leader, the Vice President, Chief Compliance & Ethics Officer, or a member of the Corporate Compliance Department, as soon as possible after becoming aware. If you are uncomfortable making a report to your leader, the Vice President, Chief Compliance & Ethics Officer, or a member of the Corporate Compliance Department for any reasons, you should inform another leader who must then forward the report to the Vice President, Chief Compliance & Ethics Officer.

If you want to make an anonymous report, use the Compliance Hotline at 612-676-6525 or 877-826-6847 (toll free) which is available 24 hours a day, 7 days a week. Reporting a compliance violation is a condition of your employment at UCare. Failure to report could result in a disciplinary action, up to and including termination of employment.

If you are unsure whether a concern or issue represents a violation of the Code, you should ask your leader or a member of the Corporate Compliance Department.

*For more information*

- CCD002 Compliance Reporting and Investigation



## Call the Compliance Hotline

Available 24 hours a day, seven days a week  
**612-676-6525** or **1-877-826-6847** (toll free)



## Send an email

The compliance inbox is **compliance@ucare.org**



## Submit a report

Fill out the webform **Report a Compliance/FWA/Privacy Incident** on the HUB under Tools



## Make an in-person report

Talk to any member of the Corporate Compliance Department

## FREQUENTLY ASKED QUESTIONS

### ***Q. If I raise a compliance issue or report a violation, is my involvement confidential?***

A. Regardless of how the report is received — anonymously via the Compliance Hotline, an in-person conversation, through email or webform — the Corporate Compliance Department makes every effort to limit information sharing about the issue to those who need to know in order to investigate and effect resolution, including the identity of the person raising the issue.

### ***Q. What happens after I raise a compliance issue or report a violation?***

A. When the Compliance Department receives a report from any source, a review and inquiry of the report is conducted to determine whether a compliance issues exists. If the report involves a privacy or data security issue, the matter is referred to the Privacy Officer or Information Security Officer, as appropriate. If the report involves potential employee misconduct under the Code or significant legal risk to UCare, the matter may be handled directly by the Vice President, Chief Compliance & Ethics Officer, or a member of the Legal Department. All UCare employees are expected to cooperate with investigative efforts by providing complete, factual, and accurate information, and preserving and timely producing relevant documentation in response to internal requests.

### ***Q. What happens when a compliance issue or violation is found to be credible?***

A. If a compliance issue or violation is found to be credible, Corporate Compliance Department staff work with the appropriate department(s) to implement corrective actions as needed. Corrective actions may include training, revised procedures or improved business processes, disciplinary measures including but not limited to warnings, suspensions, or termination of employment. If the violation involves a subcontractor, UCare will take appropriate action under the contract, which may include termination of the contract. Additionally, it may be necessary to report potential violations of laws and regulations to government agencies, or their designees.

If Corporate Compliance Department staff confirm that there is not a compliance issue, the findings are documented in the Compliance360 (C360) system and the incident is closed.

#### ***For more information***

- CCD002 Compliance Reporting and Investigation
- Employee Handbook

# Non-retaliation

We should all speak up when we have questions or concerns without fear of retaliation. UCare prohibits retaliation against any employee who participates in good faith in UCare's Compliance Program.

Good faith participation includes but is not limited to:

- Reporting potential compliance issues or violations
- Investigating issues
- Conducting self-evaluations of the compliance program
- Conducting or cooperating with compliance audits or investigations
- Participating in corrective actions
- Reporting to appropriate officials

Retaliation includes any significant change in the way in which you are treated as a direct result of your good faith participation in UCare's compliance program. If you believe that you have been retaliated against, immediately inform the Corporate Compliance Department, who will investigate. Any employee found to be in violation of the non-retaliation prohibition will be terminated from employment with UCare.

*For more information*

- CCD029  
Non-Retaliation  
for Compliance

## WHAT IF?

***Q. I think I've uncovered a couple of examples of suspected fraud. I'm worried about reporting the examples because if I'm wrong, it could get me or someone else in trouble.***

**A.** Reporting is always the right thing to do — in fact, you must do so. If you make the report in good faith, you will not be subject to any disciplinary measures for making a report that proves to be unfounded. The Corporate Compliance Department carefully and objectively investigates any alleged wrongdoing and respects the rights of all personnel, including anyone who is the subject of a compliance report.

## Leader responsibility

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It's your responsibility as a leader to foster an ethical culture and a supportive environment where your employees feel comfortable raising questions and concerns to you.

Leaders are expected to:

- Make sure employees understand the behaviors expected of them
- Never disregard ethical standards in order to achieve any business objective or personal goal
- Immediately report known or suspected compliance issues or violations
- Avoid retaliatory actions
- Ensure that all mandatory trainings, required disclosures and certifications are completed in a timely manner
- Establish and accept ownership and accountability for the actions and conduct of their employees

What to do after your employee reports a concern directly to you:

- Ensure the concern is reported or report it yourself to the Corporate Compliance Department through one of the appropriate channels
- Maintain as much confidentiality as possible
- Refrain from conducting your own investigation
- Remain accessible to investigators and any employees involved in the investigation
- Be careful not to make representations about the outcome of the investigation
- Reach out to appropriate resources if you need information and guidance

## Code enforcement

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UCare expects that all employees and contractors uphold UCare's mission and values and "do the right thing" in their work. Compliance with the compliance standards outlined in the Code and our policies is a condition of employment with UCare. A violation of the standards described in this Code, or any UCare policy, can result in disciplinary action, up to and including termination of employment or termination of your contract (for contractors). Disciplinary action taken by UCare will be imposed consistently across the organization and in a fair and equitable manner as described in CCD028 Disciplinary Guidelines for Compliance Program and the Employee Handbook.

Requests for exceptions to or waivers of the Code of Conduct must be submitted in writing to the Vice President, Chief Compliance & Ethics Officer.

### *For more information*

- CCD028 Disciplinary Guidelines for Compliance Program
- Employee Handbook

C. We commit to our employees' success



**We are committed** to maintaining a healthy and safe workplace where all are treated with dignity and respect.

## Equal employment opportunity

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We value diversity in our workforce and strive to provide equal employment opportunity for all applicants and UCare employees. We do not discriminate based on race, color, creed, religion, national origin, sex, marital status, disability, status with regard to public assistance, sexual orientation, familial status, age, membership or activity in a local commission, or any other characteristic protected under applicable federal, state or local law.

## Equity and inclusion

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UCare is committed to becoming an anti-racist organization — to identifying our role in enabling institutional racism in our policies, procedures and practices and eliminating it to improve the health of all members and their communities. UCare is invested in the evolution of a culture focused on diversity, equity and inclusion.

We value and support each other and work to ensure a diverse, welcoming, and inclusive culture. At UCare, we know every employee has something to contribute. When we are inclusive and do our best to create opportunities for everyone, we all benefit from the richness of different perspectives and enhanced points of view across our workforce.

Embracing diversity means understanding and recognizing that each of us is unique and our dimensions of difference are one of our greatest strengths. Inclusion is about creating an environment where everyone feels welcome, valued, and respected. It means that all individuals enjoy a sense of belonging and level of support that allows them to do their best work.

We strengthen diversity and inclusion at UCare by:

- Seeking to understand the viewpoints of others and advocating on their behalf
- Creating a safe environment for the team where all perspectives are welcome
- Being aware of societal issues that can impact the team and our members

We define equity as “fair and just practices and policies that ensure everyone at UCare has access to opportunities to achieve their potential.” Equity is different than equality in that equality implies treating everyone the same. Being equitable, however, rests on a recognition of historical and structural inequalities. Equity refers to a willingness to adjust resources according to circumstance, acknowledging that we all have unique needs. We advance health and racial equity when we actively examine all of our decisions, policies and practices to ensure our members, regardless of race, color, creed, religion, national origin, sex, marital status, disability, status with regard to public assistance, sexual orientation, familial status, age, membership or activity in a local commission or any other characteristic protected under applicable federal, state or local law, experience improved health and well-being outcomes.

## Discrimination and harassment

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UCare is committed to providing a work environment that is free from any form of discrimination and harassment based upon race, color, creed, religion, national origin, sex, marital status, disability, status with regard to public assistance, sexual orientation, familial status, age, membership or activity in a local commission, or any other characteristic protected under applicable federal, state or local law.

Harassment is any verbal or physical conduct that interrupts or interferes with another employee’s performance or creates an intimidating, offensive or hostile environment and is related to race, color, creed, religion, national origin, gender, sexual orientation, disability, age, marital status, familial status, status with regard to public assistance, or membership or activity in a local commission.

Any employee who observes or experiences such inappropriate conduct must contact their leader or the Human Resources Department. Any employee who intentionally or willfully creates a hostile working environment is subject to disciplinary action up to and including immediate termination of employment. See the Employee Handbook for more details.

## Substance-free workplace

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UCare is committed to maintaining a work environment that is free from the influence of alcohol and/or illegal drugs. UCare prohibits the use, possession, transfer, and sale of alcohol and/or illegal drugs while working or while operating a vehicle, machinery, or equipment on behalf of UCare. Reporting to work or working anywhere on behalf of UCare under the influence of alcohol and/or illegal drugs is also prohibited.

Illegal drugs are controlled substances and include prescription medications that contain a controlled substance and are used for a purpose for which they were not intended or by a person for whom they were not prescribed.

Violations may result in discipline up to and including termination of employment.

UCare also prohibits the use of tobacco products of any kind, including e-cigarette products, on UCare premises, including the buildings, grounds, and parking areas at any time, except for designated smoking areas. All employees must use designated smoking areas.

*For more information*

• Employee Handbook

## Workplace violence

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UCare is committed to providing a work environment that is free from intimidation, threats, or violent acts of behavior. Violence or threatening behavior by employees is prohibited. Such threatening behavior includes but is not limited to any action, word or use of an object that is intended to harm or intimidate or which has the effect of harming or intimidating another person.

Any employee who observes an incident or behavior that requires an immediate and serious response should get to a safe location and immediately call 911. Employees are required to report any threats or behavior regarded as intimidating or potentially dangerous to their leader or the Human Resources Department.

*For more information*

• Employee Handbook

D. We protect our  
information

Protecting the information that we create, receive, collect, maintain and transmit is critical to UCare. As employees, we each have a responsibility to comply with all privacy and data security requirements, including protecting data from unauthorized access, loss, misuse, or unauthorized disclosure. We are all responsible for applying the precautions required by our policies and procedures to ensure the confidentiality, integrity, and availability of company data, that includes our members' Protected Health Information.

## Information technology

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UCare follows the laws regarding intellectual properties, including patents, trademarks, marketing, copyrights, and software. UCare expects that information technology is managed in accordance with Information Technology Department policies. We do not copy UCare computer software unless it is specifically allowed in the licensing agreement. UCare only allows authorized persons to have access to computer systems and software based on their job duties and consistent with license agreements. UCare does not allow unauthorized access to its computer system, either directly or by network or telephone. Employees must never perform actions that could destroy or corrupt electronically stored or processed data.

## Trade secrets

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Trade secrets are confidential information that, if disclosed, would give a competitor a competitive advantage. Examples of trade secrets are non-public documents such as strategic plans, development proposals, marketing strategies, financial information (including what UCare pays providers), utilization data, re-organization plans, and personnel information. UCare's policy is that trade secrets may not be disclosed unless permitted by the Chief Executive Officer in consultation with the Legal Department. When a government agency requires submission of documents with non-public trade secret information, we must identify the documents as trade secret material. Employees should consult with the Legal Department to make this determination. Additionally, employees must not seek trade secret information about a competitor.

## Maintaining member confidentiality

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Employees and contractors must follow UCare's policies and procedures to safeguard a member's privacy including all medical records or claim information, documentation, communication, and records. We must ensure that member protected health information (PHI) is protected and secure. PHI is any individually identifiable health information that is transmitted by and/or maintained

in electronic media, or any other form or medium, including but not limited to oral or written information.

## EXAMPLES OF PHI

- Member name
- Street address, city, county, precinct, zip code, and equivalent geocodes
- All elements of dates (except year) for dates directly related to an individual and all ages
- Telephone numbers, fax numbers
- Electronic mail addresses
- Social Security number
- Medical record numbers (includes case #s)
- Health plan ID numbers (includes PMI#, claim #, authorization #)
- Account numbers
- Certificate/license numbers
- Vehicle identifiers and serial numbers, including license plate numbers
- Device identifiers/serial numbers
- Web addresses (URLs)
- Internet IP addresses
- Biometric identifiers including finger and voice prints
- Full face photographic images and any comparable images
- Any other unique identifying number, characteristic, or code



Disclosure of PHI to anyone other than the member, without the member's consent, is strictly prohibited unless otherwise allowed by law. Further, access to and use of PHI by employees is restricted to the minimum necessary to complete their job functions. Accessing PHI when it is not needed to complete job tasks is strictly prohibited.

Additionally, contracts with third parties who need access to member information must include requirements that satisfy federal and state privacy rules. Staff with access to medical

records must have strict controls to preserve their confidentiality and integrity, and additional confidentiality protection may apply to medical records with information about behavioral health and substance use disorder treatment.

Violation of confidentiality requirements will result in disciplinary action, up to and including termination of employment or contract. Any unauthorized release of or access to PHI must be reported to a leader, the Privacy Officer, or the Corporate Compliance Department.

### *For more information*

- CCD007 Minimum Necessary Use and Disclosure of Protected Health Information
- CCD012 Permissible Disclosures
- CCD009 Confidential Communication and Restrictions of Disclosure of Protected Health Information
- CCD004 Administrative, Technical, and Physical Safeguards

## WHAT IF?

*Q. My dad is a UCare member and has questions about charges for services he received at his clinic. Can I help him?*

A. You can help in several ways. You can encourage your dad to call Customer Services. That way, his concerns will be logged for future reference. It also helps ensure consistent answers to all UCare members. If your dad would like you on the Customer Services call with him, you can do that. If your dad would like you to call on his behalf, UCare must have documentation that you are your dad's power of attorney or authorized representative.

If you have access to the claims system or other systems that have PHI about your dad, you absolutely must not access those systems to view data for him.

## WHAT IF?

*Q. I think I just accidentally sent a letter to a member containing another member's claims information. What should I do?*

A. Immediately report this potential privacy violation to your leader or the Privacy Officer (either directly through an in-person report or via the **Report a Compliance/FWA/Privacy Incident** webform on the Hub).

## Confidentiality of provider information

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UCare complies with confidentiality requirements in conducting peer reviews of providers. When sharing information about providers outside of UCare, we are factual and sensitive to providers' proprietary interests. Files and records containing provider information are shared only with those employees who need to know the information to perform their work.



## WHAT IF?

**Q. What provider information can I share with coworkers?**

A. Just as with Protected Health Information (PHI), only share the minimum necessary provider information needed for the task. For example, when sending an e-mail with proprietary provider information (such as peer review information or provider identification numbers) to a coworker, only include the information needed to complete the request. Also, ensure that you are sending information to necessary recipients only. Finally, if sending sensitive information outside of UCare, always encrypt the email.

## Confidentiality of employee information

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We must never access or disclose confidential employee information, such as personal (home address, telephone number, email address, Social Security Number, date of birth), benefit, medical, and financial information, unless authorized to do so. Use confidential employee information only to the extent necessary to perform your job function.

## Social media and public relations

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When using social media, employees must comply with the standards outlined in this Code as well as all company policies and procedures, including MKT001 Social Media, Blogging, and Electronic Communication. Employees are free to express their opinions as private citizens in online postings that relate to UCare business (or that could be perceived as such) but are not allowed to make statements that leverage their employment status in ways that could be construed as speaking on behalf of UCare, including using their business title or role. If employees share social media content created by UCare, they must disclose their employment by using the hashtag identifier **#UCareEmployee**. Employees must not post or comment in a way that directly or indirectly discloses current or former members' confidential information, PHI, UCare proprietary information or trade secrets.

### *For more information*

- MKT001 Social Media, Blogging, and Electronic Communication

To provide a consistent message and official voice to the media, UCare's Marketing Department and those they designate will coordinate and manage the representation of UCare's official position on business matters. Employees should refer any media inquiries requesting UCare's position on any business matter to the Marketing Department. For all responses, the Marketing Department will adhere to a strict standard of confidentiality to protect the privacy and proprietary rights of UCare, employees and members.

E. We treat members  
and providers with  
respect

## Medically necessary covered services

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We are committed to ensuring that our members have access to medically necessary covered services. Our approval or denial of services must be based on UCare's policies and procedures, including appropriate consideration of benefit coverage and medical necessity. We believe preventive services have an important place in the care continuum. If we learn of a problem with the quality of care provided, we will investigate and take appropriate corrective action. UCare uses member surveys, provider credentialing, case management, quality assurance studies, and utilization reviews to monitor appropriate health care delivery.

## No incentives for providers to deny or restrict care

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We comply with federal and state requirements concerning physician incentives. UCare will never offer or give providers anything of value in exchange for denying or restricting medically necessary care for a particular member. Payment arrangements that place physicians at financial risk are permitted, but they must be reviewed closely by appropriate staff to ensure compliance with all applicable federal and state laws and requirements.

## Clear, accurate and appropriate marketing information

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We provide members and potential members with clear, accurate, and appropriate information about our services and members' rights. We comply with all federal and state requirements for government agency review of marketing materials and other materials distributed to members.

Employees with direct contact with members and potential members are trained to provide accurate information and follow all related UCare policies and procedures. If an inaccuracy is discovered — particularly in materials describing benefits and plan rules — we will inform members as soon as possible and follow all applicable federal and state reporting requirements. UCare representatives are prohibited from conducting door-to-door marketing, and all sales and marketing activities must comply with applicable federal and state guidelines.

## Required benefits

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We comply with all benefit requirements imposed by law and defined by government agencies such as the Centers for Medicare & Medicaid Services (CMS) and the Minnesota Department of Human Services (DHS). For example, we do not require providers or members to seek UCare's prior approval before providing or receiving urgent care and emergency medical services. In addition, we do not

deny claims for payment where the service provided meets the criteria of a medical emergency according to a prudent layperson standard.

## Open communication

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We never impose incentives or requirements on physicians to discourage free and open communication with members about health care treatment options. We proactively respond to member concerns and questions. At a member's request and as required by law, we provide information or access to information. For example, we must respond to a member's question about how we pay providers.

## Appeals and grievances

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We follow federal and state requirements in responding to complaints, appeals, and grievances in a timely fashion. We also provide appeal information, including member appeal rights, to members as required by law. When a member's appeal relates to an urgent health need, we expedite the appeal process in accordance with regulatory guidelines.

## Nondiscrimination

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We do not discriminate against beneficiaries, applicants, members, or the public-at-large on the basis of race, color, national origin, sex, age, or disability in any of our products. Additionally, for members in Minnesota Health Care Programs, UCare accepts all eligible beneficiaries who select or are assigned to UCare without regard to medical condition, health status, receipt of health care services, claims experience, medical history, genetic information, disability (including mental or physical impairment), marital status, age, sex (including sex stereotypes and gender identity), sexual orientation, national origin, race, color, religion, creed, public assistance status, or political beliefs. UCare does not do the following based on the classifications noted above:

- Deny, cancel, limit, or refuse to issue or renew health insurance
- Deny or limit coverage of a claim
- Impose additional cost sharing or other limitations or restrictions on coverage
- Use discriminatory marketing practices or benefit designs
- Have categorical exclusions or limitations in coverage for all health care services related to gender transition, as permitted under other legal, regulatory, or contractual obligations

UCare's members must receive services free of any illegal discrimination, including violation of federal and state civil rights laws. Any person who believes someone has been subjected to discrimination by UCare employees, contractors, subcontractors, or delegates on the basis of medical condition, health status, receipt of health care services, claims experience, medical history, genetic information, disability (including mental or physical impairment), marital status, age, sex (including sex stereotypes and gender identity), sexual orientation, national origin, race, color, religion, creed, public assistance status, or political beliefs may file a grievance. It is against the law for UCare to retaliate against anyone who opposes discrimination, files a grievance, or participates in the investigation of a grievance.

*For more information*  
including what to do if you  
receive a grievance related to  
discrimination

- CCD034 UCare Nondiscrimination Policy
- CCD2034 Nondiscrimination Grievance Procedure

In addition, UCare members with Limited English Proficiency (LEP) are entitled to free and timely language assistance services. Employees must know how to assist members with LEP. UCare's LEP Plan ensures that members with LEP have access to information that will help them understand and receive the services and benefits available to them. The Plan includes information to guide employees such as: how to access interpreters, how we ensure the competence of interpreters, contact information for the LEP Liaison and Coordinator and the member complaint process.

Through our Culturally and Linguistically Appropriate Services (CLAS) standards, we also make meaningful efforts in our marketing activities, member communications, and health care delivery to recognize cultural and linguistic differences among our members and potential members. For example, we provide member materials in an alternative format or in non-English languages, and cover language and sign interpreter services when members are eligible for such services.

Both the LEP Plan and the CLAS standards can be found on the Hub.

## Timely claims payment

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Providers who deliver services to our members deserve our best efforts to ensure prompt and accurate payment. UCare strives to pay clean claims within 30 days of receipt and to resolve non-clean claims as required by law in a timely manner. We also must pay interest to providers according to federal and state law. Further, we provide clear billing instructions and are accessible to providers who have billing questions.

F. We conduct  
business ethically  
and with integrity



## Truthful internal communication

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Employees must make every effort to share accurate information with coworkers. Particular care must be taken when reporting information about key business or compliance operations. Intentionally misrepresenting information to coworkers will not be tolerated and may result in disciplinary action, up to and including termination of employment.

### WHAT IF?

***Q. One of my coworkers told me about fudging on data in a recent report that would be used for next year's budget planning. This seems to be against the Code of Conduct, but I don't want to get him in trouble. What should I do?***

**A.** While you may want to protect your coworker, reporting potential violations of the Code of Conduct is an obligation and a condition of your employment. If you believe your coworker has violated UCare's Code of Conduct, internal policy, or any law or regulation, you must immediately contact your leader or the Corporate Compliance Department.

## Business records retention

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UCare expects that business records are maintained according to its policies, LEG030 Business Records Retention and Disposal and LEG031 E-mail Retention Policy. Business records are records created or received in connection with transacting UCare's official business and/or required by law. Knowing what to keep and for how long, what to destroy and how to destroy it promotes efficiency, cost savings, confidentiality and compliance with federal and state laws and requirements. Records created as part of our business are the property of UCare and cannot be used for personal purposes.

Altering records or intentionally creating false records is strictly prohibited. Records related to a lawsuit or active government investigation must not be destroyed unless permitted by UCare Senior Management in consultation with the Legal Department. In addition, confidential records, such as those containing member information or personnel information, must be secured in a manner that ensures their confidentiality in accordance with ISP024 Information Classification Security. Such records may be used only for business reasons and in compliance with applicable law.

### *For more information*

- LEG030 Business Records Retention and Disposal
- LEG031 E-mail Retention Policy
- ISP024 Information Classification Security

## WHAT IF?

*Q. I received a subpoena for documents. It seems official, so may I gather the records to submit to the requester?*

A. If you receive a subpoena for documents or testimony, immediately forward the request to the Legal Department. You'll receive direction from the Legal Department if anything further is needed.

## WHAT IF?

*Q. A coworker says she stores the business records relating to projects she manages in her personal e-mail folder and system drive. She often looks through the records and deletes any items older than one year, regardless of the content. Is that okay?*

A. No. Business records must be accessible to coworkers who may need them. Laws and regulations often govern the length of time certain documents must be saved. If you have questions about whether a document is a business record or how long a record needs to be kept, refer to LEG030 Business Records Retention and Disposal and LEG 031 E-mail Retention Policy.

## Conflicts of interest

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UCare avoids conflicts of interest or the appearance of conflicts of interest. Directors, officers, and management staff should remain free from interests, influences or relationships that might conflict, or appear to conflict, with the interests of UCare or that might affect their business judgment or loyalty to UCare. Directors, officers, and management staff are prohibited from engaging in activities that constitute actual or potential conflicts of interest and are required to comply with LEG002 Conflict of Interest.

Additionally, directors, officers, and management staff may not work for another company, or act as a partner or board member of another company or nonprofit health care company, under circumstances that might conflict with their role at UCare. They must consult with their leader and Human Resources before undertaking any employment or outside activities that could call into question their ability to act in UCare's best interests. All employees are required to disclose any actual or potential conflicts of interest at the time of hire but also need to reconfirm when they change leaders or position responsibilities.

### *For more information*

- LEG002 Conflict of Interest

Furthermore, all employees have a duty to avoid conflicts of interest and to perform their responsibilities in a manner that supports the best interests of UCare. Employees must avoid situations where a personal financial interest or a family member's involvement may affect their ability to make fair and objective decisions when performing their jobs. Employees must avoid even the appearance of a conflict of interest. For example, pursuing a contract with a provider or vendor with whom you or your family has a financial interest would be inappropriate. It may also be a conflict of interest if your work directly affects members who are family members or close friends.

If you are faced with a situation that may create a conflict of interest, you must contact your leader or Human Resources.

## WHAT IF?

***Q. I'm thinking of starting my own interpreter business for some additional part-time income. I may turn it into full-time, but right now I'd like to stay employed by UCare. Is this an issue?***

**A.** Depending upon your UCare responsibilities, starting your own interpreter business may create a conflict of interest. Do you help members find interpreters? Are you involved in reviewing or deciding which interpreters are in UCare's network? Do you process interpreter claims? If so, you will want to avoid situations where your judgment could be — or appear to be — influenced by your own financial interests.

Before starting the business, you must contact your leader or the Corporate Compliance Department to ensure that your current job duties are not affected by an actual or perceived conflict of interest.

## Gifts

### OFFERING GIFTS

UCare does not offer cash or monetary rebates to individuals to induce their enrollment and follows applicable federal anti-kickback laws and laws prohibiting inducement. However, we may offer promotional gifts of nominal value in compliance with regulatory agency marketing requirements and other applicable laws. In addition, health promotion programs may provide members gifts in exchange for using preventive health-related services. Employees should follow LEG041 Gift-Giving Policy and HPR001 Health Promotion Member Rewards and Incentives Program as appropriate and should consult with

### *For more information*

- LEG041 Gift-Giving Policy
- HPR001 Health Promotion Member Rewards and Incentives Program

their leader or the Corporate Compliance Department if they have any questions about providing members and potential members with gifts or incentives.

## WHAT IF?

***Q. UCare has a booth at a local fair and UCare staff would like to hand out UCare-branded travel mugs, reusable tote bags, and stress balls to people who stop by to hear more. Can they?***

**A. Yes. These promotional items are valued at a nominal amount and comply with regulatory agency marketing requirements.**

Generally, employees are prohibited from giving gifts, meals, entertainment, or gratuities to current or potential business partners. An exception may be made for gifts that are not excessive in value, cannot be viewed as potentially affecting business judgment, and are reasonable and customary to develop and strengthen business relationships. If employees have any doubt about whether providing a gift, meal, or entertainment to a potential business partner is appropriate, they should consult with their leader for guidance.

## ACCEPTING GIFTS

Employees must not solicit and are generally prohibited from accepting gifts, meals, entertainment, or any gratuity from current or potential members, providers, vendors, or other business partners. An exception may be made for accepting gifts, meals, entertainment, or gratuities offered by current or potential business partners to help develop and strengthen business relationships; however, gifts, meals, entertainment, or any gratuities that are excessive in value, or that may be viewed as potentially affecting an employee's business judgment, must be declined or returned. Additionally, while there is not a general prohibition on soliciting charitable contributions on behalf of UCare, employees should not solicit personal charitable contributions from vendors as it could equate to a gift, creating a conflict of interest, or be construed as a form of illegal inducement. Employees must take particular care when they are offered gifts, meals, entertainment, or any gratuities from potential business partners during negotiation of a transaction. Decisions involving business partners must be based only on the value of their goods or services for UCare and our members.

If employees are offered or receive a gift, they must disclose it to their leader for consideration as to whether it is appropriate under the standards detailed above. Gifts that are appropriate must be shared with other employees to the extent possible or donated to a charitable organization. This requirement applies not only to gifts from current or potential business partners but to gifts from members as well.

If employees have any questions about whether accepting a meal or participating in an entertainment event provided by a current or potential business partner is appropriate, they must consult their leader or the Corporate Compliance Department.

#### WHAT IF?

*Q. I've been helping a member find answers to questions about her coverage. Over time, we've discovered we both really like movies. As a thank you, she surprised me yesterday with a book of movie passes. May I accept them?*

A. The member's gift must be discussed with your leader. Is it excessive in value? Will it affect any business decisions related to the member? If the answer to these questions is 'no', you may accept the gift and share it with others on your team or donate the book of movie passes to a charitable cause. If the answer to one of these questions is 'yes', you must politely decline and return the gift.

#### WHAT IF?

*Q. A vendor I work with frequently has invited me to a concert. I'm sure I won't treat them differently just because I accept the invitation. Isn't that the main concern?*

A. No. The primary concern is creating a real or perceived conflict of interest that would undermine UCare's business and values, and potentially invite regulatory enforcement action. Important questions to consider include: how might accepting that gift be viewed by others? What might the vendor expect from you in exchange for the gift? Would other vendors think you might overlook substandard performance or hold that vendor less accountable for their performance? Would members or a regulator question your objectivity? Before accepting the invitation, you must discuss the invitation with your leader or the Corporate Compliance Department to determine a course of action that aligns with UCare's standards and policies.

# Delegation and contract oversight

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UCare delegates certain duties to other organizations, however, we are accountable for ensuring that the delegated duties are performed under the contract. Overseeing vendor performance is just as important as if we were doing the tasks ourselves, and our oversight processes are consistent with legal and regulatory requirements and the interests of our members and our business. Through relationship building, capability assessments, regular monitoring, and timely corrective action mechanisms, UCare accomplishes effective delegation oversight.

Prior to contracting with or employing an individual or organization — and monthly thereafter — we will determine whether the individual or organization is excluded from participation in federal health care programs or debarred from federal procurement programs as required by law.

## *For more information*

- CCD021 Delegation Management
- CCD019 Exclusions from Federal Health Programs (Individuals and Entities) and related contracting and credentialing policies

# Antitrust compliance

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UCare encourages collaborative relationships with other health care organizations that benefit our members and our business, but we will not participate in price fixing, bid rigging, boycotting, collusion, or any conduct creating an agreement with a competitor in violation of federal or state antitrust laws. Generally, the laws prohibit conspiracies between competitors, improper attempts to monopolize markets or control prices, and certain unfair business practices. Employees who participate in the Minnesota Council of Health Plans — or any other industry association — must follow the antitrust guidelines established by that organization.

## WHAT IF?

***Q. An employee of another health plan called me. She asked how much we pay providers for certain procedures. This doesn't sound right to me. What should I do?***

**A.** Your instincts are good. Such conversations could violate antitrust laws. We don't want to be viewed as potentially agreeing to provider payment amounts — or any other unfair business practice — with a competing health plan. These types of conversations must be avoided, and these requests immediately reported to the Corporate Compliance or Legal Department.

## UCare property

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Generally, the personal use of UCare property — including supplies, equipment, and information — is prohibited unless approved by a leader. Reasonable, occasional, and brief personal use of company property including telephones, computers, mobile devices, copiers, e-mail, and the Internet is permitted if it does not interfere with job performance or UCare’s operations or systems. Additionally, personal use must comply with UCare’s standards, policies, and procedures.

Any use of UCare property for personal financial gain or for unlawful purposes is strictly prohibited.

### *For more information*

- Employee Handbook
- Information Technology policies  
ISP007 Acceptable Use Policy

## Political activity

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UCare encourages employees to be politically active on their personal time. However, to retain its tax-exempt status and to avoid improper corporate support, UCare is prohibited from contributing money or property to any political candidate, party, or organization. UCare does not reimburse employees for political contributions, and employees must not use UCare property for personal political activities.

UCare may identify opportunities for employees to express support or opposition to a proposed change in the law. Where our experience may contribute to public discourse about a political issue, UCare may take a public position on the issue, either on our own or with local or national industry organizations.

## Charitable contributions and sponsorships

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UCare may make charitable contributions and sponsor community and business events. Such contributions and sponsorships must be consistent with UCare’s mission to improve the health of our members through innovative services and partnerships across communities.

# Fraud, waste and abuse prevention, detection and correction

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UCare is committed to identifying, preventing, correcting, and reporting fraud, waste, and abuse (FWA) and maintains a comprehensive program to support these efforts. The Special Investigations Unit (SIU), a part of the Corporate Compliance Department, conducts investigations in response to reported allegations of FWA, and proactively conducts ongoing data mining to identify potential provider and member FWA. Additionally, the SIU collaborates with UCare business departments on targeted efforts that include training and education, monitoring, auditing and claims data analysis to prevent, detect and correct potential FWA among pharmacies/prescribers, employees, delegates, and downstream entities.

UCare collaborates with all government agencies, including the Medicare Drug Integrity Contractor (MEDIC), and ensures that all federal and state program integrity requirements are met. The SIU also makes referrals to law enforcement when appropriate.

All employees who have knowledge of potential fraud, waste, or abuse by a provider, member or employee must make a report to the SIU or the Corporate Compliance Department using any of the available reporting methods, including the Compliance Hotline, which allows for anonymous reporting.

## *For more information*

- [CCD001 Fraud, Waste and Abuse Program](#)
- [CCD017 Effective Lines of Communication and Reporting of Fraud, Waste, Abuse](#)
- [CCD002 Compliance Reporting and Investigation](#)

# Conducting business with government staff

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UCare does not provide government officials or employees with gifts or entertainment to influence government decision making. Generally, no payment or anything of value may be offered to a state or federal government official or employee. Before an employee provides a government official or employee with anything of value, the employee must confirm compliance with applicable federal and state law by consulting with the Legal Department.

Additionally, before engaging in discussions with a government official or employee about possible employment at UCare, employees must contact the Human Resources Department for guidance to ensure compliance with conflict of interest laws.



# Preparing and submitting reports to the government

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We will make every reasonable effort to report accurate information, including but not limited to encounter data, financial statements, Medicare premium bids, and member status. If an employee, delegate or vendor discovers that inaccurate information has been reported, they must immediately contact their leader, UCare contact, or the Corporate Compliance Department for consultation about how to correct the inaccuracy. Failure to do so may result in violation of state or federal False Claims Act laws and could lead to civil, administrative, or criminal sanctions.

## WHAT IF?

***Q. I'm part of a team that submits a regular report to a government regulatory agency. Data needed for the report that comes from another department or a delegate is always late so I either omit that data or submit the report late. As I don't have any control over this other department, I don't say anything.***

**A.** Your report must be both timely and accurate. If you're not getting what you need to complete a timely and accurate report, you have a responsibility to resolve the underlying issue(s) or, if necessary, consult your leader, another leader, or the Corporate Compliance Department.

# False claims act and anti-kickback laws

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We expect all employees, contracted providers, and vendors to comply with federal and state False Claims Act laws and Anti-Kickback statutes as they may apply to UCare.

The federal False Claims Act establishes liability for any person who knowingly presents or causes to be presented a false or fraudulent claim or knowingly makes or uses a false record or statement material to a false or fraudulent claim. "Knowingly" is defined in the Act as a person who, with respect to information: (1) has actual knowledge of the information; (2) acts in deliberate ignorance of the truth or falsity of the information; or (3) acts in reckless disregard of the truth or falsity of the information.

The Act does not require proof of a specific intent to defraud the government but can include a wide variety of conduct that leads to the submission of fraudulent claims to the government, including knowingly making false statements, falsifying records, double-billing for items or services, submitting bills for services never performed or delivered, or otherwise causing a false claim to be submitted.

The False Claims Act also covers some submitted claims that result from a violation of the federal Anti-Kickback statute. The Anti-Kickback statute generally prohibits UCare and our delegates and providers from knowingly and willfully exchanging (or offering to exchange) anything of value to induce or reward referrals of federal health care programs business. The definition of “knowing” for the purpose of the Anti-Kickback statute is different than the definition of “knowing” for the False Claims Act. The regulations and guidance regarding the federal Anti-Kickback statute are complicated, so questions about whether particular conduct is prohibited should be directed to the Legal or Corporate Compliance Departments.

## WHAT IF?

***Q. My neighbor drives a taxi for a company in UCare’s transportation network. She offered me baseball tickets if I set up 20 members with rides with her. Can I accept the tickets?***

**A.** Your neighbor’s offer could be considered a kickback. When helping members find the services they need, we need to keep our help free of influence. Even though the neighbor isn’t offering money, she expects something in return for your access to members and steering their decisions. You must immediately contact your leader or the Corporate Compliance Department. Not only is the neighbor’s offer an issue for you, but UCare must investigate this kind of report with the network provider.

Organizations, individual persons, suppliers, or health care providers violating the False Claims Act can be subject to civil monetary penalties of at least \$5,000 plus three times the amount of damages that the government incurred for each false claim submitted. If a health care provider or supplier is convicted of a False Claims Act violation, the federal Office of Inspector General (OIG) may seek to exclude the provider or supplier from participation in federal and state health care programs. Additional penalties apply for violations of the Anti-Kickback statute.

The False Claims Act also includes a whistleblower provision that prevents discrimination or retaliation against any employee initiating a complaint to the government about a violation of the False Claims Act. The employee may receive a financial award if a court determines a violation has occurred.

In addition, the State of Minnesota has laws that prohibit the filing of false claims for payment with the Minnesota Department of Human Services as well as an Anti-Kickback regulation. These laws also include whistleblower protection provisions similar to their federal counterparts.

### ***For more information***

- **CCD018 Compliance with False Claims Act**

# Government investigations, audits, and inquiries

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UCare complies with subpoenas and cooperates with government investigations and audits as required by law. If contacted by a government investigator, employees must contact the Corporate Compliance Department or the Legal Department immediately. Employees should never attempt to obstruct a government investigation or audit by lying, making misleading statements, or destroying or altering documents. Employees must be truthful with government agents under all circumstances.

UCare is subject to a variety of government inquiries, oversight actions and audits that require responses. These responses are coordinated internally by the Government Relations Department, the Corporate Compliance Department, and the Legal Department, and applicable business areas are engaged as appropriate.

# G. Resources

## Reporting a concern

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To report a concern, or if you have questions or are unsure of what to do in a given situation, contact your leader, the Human Resources, or the Corporate Compliance Department:



### Call the Compliance Hotline

Available 24 hours a day, seven days a week  
**612-676-6525** or **1-877-826-6847** (toll free)



### Send an email

The compliance inbox is **compliance@ucare.org**



### Submit a report

Fill out the webform **Report a Compliance/FWA/Privacy Incident** on the HUB under Tools



### Make an in-person report

Talk to any member of the Corporate Compliance Department

## Policies and procedures

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All UCare Policies and Procedures can be found on the HUB under Tools — Policies & Procedures

