

Policy

DEPARTMENT: Compliance	POLICY #: COM018
TITLE: Non-Retaliation	VERSION: 2
APPROVED BY: Kristie Ingram	DATE: 07/28/22
DEPENDENCIES: N/A	

Purpose

The purpose of this policy is to ensure that our Stakeholders are complying with state and federal laws regarding the prohibition of retaliation when a good faith report of known or suspected instances of inappropriate conduct or activities.

Definitions

- Whistleblower:** A Stakeholder who makes a good faith report of an activity that he/she reasonably believes to be illegal, dishonest, unethical or otherwise violates the Standards. This includes illegal or dishonest activities that could violate federal, state or local laws, billing for goods or services not provided, or other fraudulent financial reporting. In making a report, a Stakeholder is not permitted to engage in actions that interfere with job performance so as to render the Stakeholder ineffective, or engage in unlawful activities such as acts or threats of violence.
- Adverse Employment Action:** An action that a reasonable Stakeholder would have found materially adverse, which means it might have dissuaded a reasonable Stakeholder from making or supporting a report. An Adverse Employment Action may include, but is not limited to, wrongful termination, decreased compensation, demeaning work assignments, or threats of physical harm. It does not include requiring a Stakeholder to continue to perform their job or to follow the organization's workplace rules.
- Good Faith Report:** In making a report, the Stakeholder reasonably and honestly believes he/she is accurate in his/her perception and assessment of the situation being reported.

Policy

Signature Advantage’s *Standards of Conduct* (“Standards”) requires all Stakeholders to observe

high standards of business and personal ethics while conducting their duties and responsibilities. As Stakeholders and representatives of the organization, we must practice honesty and integrity in fulfilling our responsibilities and fully comply with all applicable laws and regulations.

In order to encourage reporting of compliance and resident care concerns by all Stakeholders, this Policy mandates that the organization will refrain from retaliatory acts against individuals who, in good faith, file complaints or report a violation in accordance with the Standards, the eight elements of an effective Compliance and Ethics Program as set out in the U.S. Sentencing Commission Guidelines and the U.S. Department of Health and Human Services (HHS) Office of Inspector General (OIG) Guidance.

Signature Advantage requires all Stakeholders to comply with the Standards and to report any known or suspected violations of it in accordance with this policy. Signature Advantage encourages open communication and reporting of all actual or potential, known or suspected, issues or violations of the Standards and relevant federal and state laws. If a Stakeholder fails to report this, he/she may be subject to disciplinary action, up to and including termination of employment.

This Policy is intended to encourage and enable Stakeholders and others to raise serious concerns within the organization prior to seeking resolution outside the organization.

Signature Advantage does not retaliate against whistleblowers. This means a Stakeholder who reports in good faith is entitled to protection from any kind of Adverse Employment Action, including but not limited to retaliation, retribution, intimidation or harassment of any kind. A Stakeholder who retaliates against someone making a good faith report of an alleged Standard or legal violation will be subject to disciplinary action, up to and including termination of employment. Protection against retaliation, however, does not include immunity of a Stakeholder for his/her own personal wrongdoing that is alleged and investigated.

Malicious or knowingly reporting false allegations may subject that Stakeholder to disciplinary action.

Responsibilities of Compliance and Ethics Department and Compliance Officer

Signature Advantage's Compliance Officer has specific authority and responsibility to investigate and resolve reported complaints and allegations of known or suspected Standards and legal violations and, at his/her discretion, shall advise the Compliance Committee or Board of Managers.

Procedure

Signature Advantage encourages any Stakeholder with knowledge or suspicion of a Standards violation to report it as follows:

1. Any Stakeholder who would like to report an issue or concern will contact his/her immediate supervisor, another member of management, the Human Resources Department or the Compliance and Ethics Department. Any Stakeholder who believes he/she is being retaliated against for making a Good Faith Report must report this to their supervisor, another member of management, the Director of Human Resources, or the Compliance and Ethics Department immediately. The Compliance and Ethics Department can be contacted by email at compliance@signatureadvantageplan.com, through the hotline at 1-833-742-6004 or to the Compliance Officer directly at 502-410-6859.

2. Supervisors and managers are required to report all known and suspected violations of the Standards to the Compliance Officer. For suspected fraud, the Stakeholder should contact the Compliance Officer directly. The Compliance and Ethics Department can be reached by emailing Compliance at compliance@signatureadvantageplan.com, through the hotline at 1-833-742-6004 or to the Compliance Officer directly at 502-410-6859.
3. The Compliance and Ethics Department and/or the Human Resources Department will be responsible for investigating and coordinating any necessary corrective action. The reporter is not responsible for investigating the alleged illegal or dishonest activity or determining fault or corrective measures.
4. Signature Advantage takes all reports of concerns, complaints or other violations of the Standards seriously, and will promptly investigate them. The Compliance Officer will communicate with the Whistleblower, unless extenuating circumstances warrant additional confidentiality.
5. When appropriate, the Stakeholder may be contacted by the investigator or another representative of the organization to discuss the investigation process or findings.
6. If disciplinary action is recommended and taken against a Stakeholder as a result of the investigation, that information will remain confidential and will not be shared, unless in response to a government investigation, charge, in defense of a claim or lawsuit, or as otherwise compelled or required by law.

Record Retention

All documentation is maintained for a minimum of 10 years as per record retention regulatory requirements.

Change Log

Document Version	Major or Minor Revision?	Date	Name	Comments
New		07/14/22	Kristie Ingram	New Policy
2	Minor	07/28/22	Kristie Ingram	Annual Review, updated Board of Directors to Board of Managers