

Conflict of Interest Policy 106 Update for

Employees, Agents, Management Team, Physicians and Board Members

- An individual has the responsibility to identify and self-report any potential or real Conflicts of Interests (as defined in Policy 106) that impact their job or position within the organization
 - At the time of hire;
 - Prior to contract, negotiation or selection of vendors or health care providers for goods and services;
 - Prior to initial placement and during service on boards and/or related committees;
 - As conflicts arise during the course of day-to-day services and business activities; or
 - Prior to discussions and decision-making
- Potential conflicts can involve financial and non-financial interests and relationships as well as adverse legal events. Good faith efforts should be made to avoid Conflicts of Interest and the “appearance of conflict.”
- Conflicts of Interest require at minimum disclosure and may require management; some conflicts may require the individual be removed from discussions, the decision-making process and/or undergo a change in job responsibilities.
- Gifts, gratuities or exclusive opportunities (e.g. sporting/entertainment tickets) offered by current or potential business partners are to be reported under the Conflict of Interest Policy. In particular,
 - Items or services valued at or above \$100 must be disclosed on the Conflict of Interest Disclosure Certificate
 - Items or services valued more than \$300 per item or occasion or totaling more than \$300 in aggregate from any one individual or entity in a calendar year must be declined
- Employed physicians (i.e. receive a W-2) are subject to the Conflict of Interest Gifts and Gratuities reporting outlined in Policy 106.
- Contracted physicians (i.e. receive a 1099) are subject to stricter Federal Stark Laws and Non-Monetary and Incidental Benefit reporting requirements that supersede and may replace some of the Ensemble adopted Mercy Health Policy 106 Gifts and Gratuities provisions.
- A majority of the Boards of Trustees may not, at any time, have Conflict of Interests. The Policy clarifies financial conflicts and the process for conflict management and recusal (refer to Policy 106 Definitions #1, 4, 5, 9; 106.2 thru 106.4)
- All Board and Board Committee members must complete an annual COI to be seated. Members will not be permitted to participate until the COI is completed.
- Conflicts of Interest are to be disclosed at least annually by individuals holding key positions and those positions involved in contracting, vendor selection, purchasing and decision-making on behalf of the organization.

Common Examples of Reportable Conflicts and Gifts and Gratuities Under Policy 106 for Employees, Agents, Management Team, Physicians and Board Members

- Family member(s) who work for Ensemble or Ensemble clients;
- Family member(s) who work for companies competing with Ensemble or Ensemble clients;
- Other outside jobs or consulting services performed with an outside company or provider that may provide services to Ensemble or Ensemble clients;
- Other outside jobs or consulting services performed with an outside company or provider that may compete with Ensemble or Ensemble clients;
- Personal or family member ownership or investment interests in an outside company competing and/or providing goods and service Ensemble or Ensemble clients;
- Offers of money, gifts, meals, payment of any kind (cash or anything of value) or exclusive opportunities in exchange for referrals or access to business opportunities. **Note:** This type of conflict is a prohibited activity under Federal and State Anti-Kickback Law and Stark Law (for physicians);
- Offers of free services, deeply-discounted services, all-expense paid travel and seminars conducted by current or potential business partners in exchange for endorsement of company product or services;
- Knowledge of confidential information that provides the individual an “inside advantage” that could result in personal gain or profit by the individual if he/she would act on the information for outside investment or ownership opportunities;
- Offers of free services, deeply-discounted services, gift certificates or meals for past services or relationship with vendors or suppliers of health care services

If you are unsure if an offer or gift is a conflict, contact the Ensemble RCM LLC Corporate Responsibility Officer at 704-765-3718 or www.ensemblereportline.com for assistance.