



CODE OF CONDUCT & CORPORATE COMPLIANCE PLAN

Adopted by the Board of Directors
on March 21, 2013

As amended on the following dates:
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June 2018

SUN HEALTH CORPORATE COMPLIANCE PLAN

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SUN HEALTH'S COMMITMENT TO COMPLIANCE

The establishment of Sun Health's compliance plan, policies, procedures and controls are key elements to an effective corporate ethics and compliance program. It is important for any governance, risk and compliance program to provide guidance and structure to employees and reflect the organization's stance on specific issues and processes. It is understood that as Federal, state and local rules and regulations, work force, service lines, and affiliates change so must our Compliance Program. Therefore, **every two (2) years** our compliance plan and all its elements will be reviewed for revisions, additions, and deletions, to ensure it continues to support the mission, vision, and values of Sun Health.

Advisory Committee

Date

Compliance Oversight Committee

Date

Compliance Sub-Committee – The Colonnade

Date

Compliance Sub-Committee – Grandview Terrace

Date

Compliance Sub-Committee – La Loma Village

Date

I. CODE OF CONDUCT

All Employees and Affiliates of Sun Health must strive to comply with our Corporate Compliance Policy and Code of Conduct. This document reflects the most basic values of Sun Health.

Sun Health Corporate Compliance Policy refers to the policies and procedures that outline lawful and proper conduct of the company's business, including the Sun Health Corporate Compliance Plan. Each employee is obligated to obey all applicable laws and corporate policies and procedures in his or her work here at Sun Health.

We believe that our most important priority is to provide service and care for those residents and their families who depend upon us. Our highest priority is to affirm our commitment to providing the care and services necessary to attain or maintain each resident's highest practicable physical, mental and psychosocial well-being in accordance with the resident's assessment and plan of care. We want to ensure that our residents receive caring, compassionate and attentive care in order to make them safe, comfortable, well nourished, and to ensure that they do not experience physical or emotional pain, feelings of loneliness or an avoidable loss of function, mental well-being or health.

Our conduct should always demonstrate respect for our residents, respect for their families and respect for each other as Employees and Affiliates of Sun Health. Our conduct and speech should demonstrate honesty and integrity at all times. We seek to demonstrate patience and fair dealing in our conduct and to engage in open and honest communication — even on difficult topics — in all our speech.

We seek to demonstrate nondiscrimination in all of our speech and conduct toward our residents and among our fellow Employees. We want all of our conduct to reflect respect, acceptance, and even trust and affection toward all those who are from a different race, a different religion, a different background or gender or political persuasion than ours, and we strive to treat all our residents and their families and all our fellow employees as valued friends and colleagues at all times.

All Employees have the following responsibilities:

- (A) To act in compliance with state and federal laws and regulations;
- (B) To uphold Standards of Conduct;
- (C) To uphold Policies, Procedures and Protocols;
- (D) To attend and participate in educational plans;
- (E) To watch for and report in good faith possible violations of the law, Standards of Conduct, Policies, Procedures, Protocols, or the Compliance Plan. Employees may report possible violations or concerns about possible violations in person or anonymously. Sun Health will not permit, and does not condone, any act of



retaliation against any employee who raises a concern or reports a violation. If any employee experiences, witnesses or hears about any such retaliatory act occurring, the employee should report the act or conduct to their immediate supervisor or the Compliance Officer as soon as possible.

Employees who violate the principles of the Sun Health Corporate Compliance Plan, could face serious consequences, such as fines or criminal prosecution, claims for damages, sanctions under labor laws and disciplinary action, up to and including termination of employment.

II. COMPLIANCE PLAN

SUN HEALTH requires that all activities undertaken by or on behalf of our residential and nursing facilities be performed in compliance with applicable state and federal laws and regulations.

The primary purpose of the Corporate Compliance Plan (the “Compliance Plan”), is to provide guidance and resources to all employees, independent contractors and vendors who work for or provide services on behalf of Sun Health to enable them to support Sun Health's commitment to compliance.

The goals and benefits of having and using a Compliance Plan include:

- Implementing effective internal controls to ensure compliance with statutes, regulations and rules;
- Demonstrating concretely to our employees and our communities Sun Health's commitment to responsible corporate conduct;
- Obtaining an accurate assessment of the conduct of our employees, affiliates, contractors and vendors;
- Increasing the likelihood of identifying and preventing unlawful and unethical behavior;
- Having the ability to quickly react to address employees' operational concerns about compliance concerns and effectively targeting our resources to address those concerns;
- Improving the quality, efficiency and consistency of our services to our residents;
- Having a mechanism to encourage employees to report potential problems and allow for appropriate and thorough internal investigations and timely corrective action; and
- Having a centralized source for distributing information and educating employees on health care standards, laws and regulations, as well as a Compliance Sub Committee Chairman at each of the communities; and
- Protecting our Company and our employees from exposure to penalties, damages and sanctions for violating fraud and abuse laws, including the anti-kickback statute, the Stark law, and the False Claims Act.

The Compliance Plan is the basic guide to compliance with the legal standards applicable to the clinical and business operations of Sun Health. The elements of the Compliance Plan will be further expanded upon in supplemental policies and procedures which will be distributed, from time to time, to all Sun Health Employees, Contractors, Affiliates, and Vendors. All Sun Health Employees, Affiliates, Contractors and Vendors have an obligation to read and understand the Compliance Plan and all supporting materials, to appropriately use all compliance resources, and to follow the basic procedures outlined below.



Sun Health Employees will also receive periodic training and support materials, and there will always be a variety of people available to answer questions (see Section II, Staffing).

Regardless of the nature of the issue, if any Sun Health Employee, Contractor, Affiliate or Vendor ever has doubts or questions about compliance with clinical, legal, ethical, or professional standards, it is the duty of that Employee to seek guidance by contacting the Compliance Officer, a member of the Community Compliance Sub-Committees or any member of the Management Team. These individuals will ensure that a Sun Health Employee is referred to the appropriate person based on the general nature of the inquiry. In the event the employee wished to remain anonymous, concerned employees are able to report their concerns via the Corporate Ethics Hotline.

Employees should always remember that failure to observe the provisions of the Compliance Plan can result in serious consequences for Sun Health Employees, including termination of employment and criminal charges, and for Sun Health, including criminal prosecution, substantial criminal and civil monetary fines, perhaps even exclusion from Medicare and/or Medicaid and damage to Sun Health's professional reputation.

III. COMPLIANCE PLAN PURPOSE AND OVERVIEW

The purpose of the Compliance Plan, its policies and procedures and other components are to establish and maintain a culture within Sun Health that promotes quality and efficient resident services and care; high standards of ethical and business conduct; and the prevention, detection and resolution of conduct that does not conform to Sun Health standards and policies, applicable law, and health care plans or payor requirements. The Compliance Plan applies to all Sun Health personnel, including but not limited to its Governing Board, administration, employees, volunteers, and other entities providing services on behalf of Sun Health. The Compliance Plan includes the following elements:

1. Written standards, policies and procedures which promote Sun Health commitment to compliance with applicable laws and regulations.
2. The designation of a Compliance Officer, Advisory Committee and Compliance Oversight Committee charged with the responsibility of implementing and monitoring the Compliance Plan.
3. Designation of Compliance risk categories and risk levels.
4. Regular, effective education and training plans for all affected Sun Health personnel as appropriate to their functions.
5. A process to receive complaints concerning possible Compliance Plan violations, procedures to protect the anonymity of complainants to the extent possible, and policies that protect complainants from retaliation.
6. A process to respond to allegations of improper activities and the enforcement of appropriate disciplinary action against Sun Health personnel who have violated Sun Health policies, laws, regulations, or health care plan requirements.
7. Periodic audits or other methods to monitor compliance and assist in the reduction of problems in any identified areas.
8. A process for investigating and resolving any identified problems.

IV. COMPLIANCE PLAN OVERSIGHT

The Sun Health Corporate Compliance Plan is overseen by the Sun Health Compliance Officer, the Corporate Compliance Oversight Committee (Oversight Committee), and the Sun Health Compliance Sub-Committees (Sub-Committees). The Oversight Committee and the Sub-Committees work together and are advised by independent attorneys who provide legal advice on HIPAA, the anti-kickback statute, the Stark law, the False Claims Act and other federal and state fraud and abuse laws, and other requirements of state and federal law as necessary.

(A) Corporate Compliance Advisory Committee and Members

The Advisory Committee is comprised of individuals who can provide a degree of consistency, longevity and background knowledge in the industry to allow them to have the knowledge and interest to advise strategically with reliability on particular

issues. Advisory Committee meetings will be convened at the request of the Compliance Officer or any member of the committee.

Members of the Advisory Committee will include:

- Chief Executive Officer
- Chief Financial Officer
- Chief Human Resources Officer
- Chief Information Officer
- Vice President of Operations
- Sun Health Services Governing Board Member

(B) Corporate Compliance Officer

The Compliance Officer is responsible for overseeing and administering the Compliance Plan and will respond to or appropriately direct any inquiries, reports of compliance issues, and comments or suggestions regarding the operation of the Compliance Plan to appropriate members of Sun Health in order to facilitate prompt action in response. The Compliance Officer is supported in this position by the Oversight Committee members, and s/he may delegate any duties to it. S/He also can seek advice from the Corporate Advisory Committee, other corporate officers, other employees of Sun Health and/or outside legal counsel or consultants.

(C) Compliance Oversight Committee and Members

The Oversight Committee will have a Chair that works in conjunction with the Compliance Officer to lead Sun Health compliance efforts. The Oversight Committee Chair will be elected by the Oversight Committee every two years. The Oversight Committee will only address and respond to issues not arising from any other community's committee and/or other sub-committees. Members of the Oversight Committee will include:

- Chief Human Resources Officer
- Vice President of Operations
- Community Sub-Committee Chairs
- Comptroller
- Corporate Compliance Officer
- Chief Information Officer
- Health Care Representative
- Other members as designated or based on need

(D) Community Compliance Sub-Committees and Members

Each community will establish a Community Compliance Sub-Committee (Sub-Committee) to address and respond to issues within their own campus. In addition, the Sub-Committees will report compliance concerns and work in conjunction with the Oversight Committee.

The Sub-Committees members will reflect the diversity of positions within each community and have the knowledge and authority to act on compliance issues. Members could include representation from the following areas based on need:

- Executive Director and/or Health Care Administrator
- Director/Manager of Human Resources
- Director of Nursing/Assisted Living Manager/ Resident Services Director
- Business Office Manager
- Director of Environmental Services and/or Safety Officer
- Other members as designated or based on need

(E) Roles and Responsibilities

The Oversight Committee will meet at least quarterly to address corporate concerns and those concerns brought forward by the Sub-Committees. The Sub-Committees will meet at least once every quarter to address compliance risk areas, monitoring and auditing outcomes and other compliance concerns that may arise from surveys, employee input, incidents, or other sources within their community or the industry at large. The Sub-Committees may also meet at any time it believes there is a need. Both the Oversight and the Sub-Committees will keep minutes of all meetings, some of which may be conducted under the Attorney-Client Privilege if necessary and forwarded to the Corporate Compliance Officer.

The Sub-Committees work with the Compliance Officer and the Oversight Committee to address compliance concerns and to implement the Compliance Plan throughout Sun Health, including the Health and Rehabilitation Services. The Compliance Officer in conjunction with the Oversight Committee and the Sub-Committees performs the following responsibilities:

1. Developing and distributing written “Standards of Conduct”, as well as written “Policies, Procedures and Protocols” that promote Sun Health commitment to compliance, including:
 - (a) Adherence to the Compliance Plan as an element in the evaluation of all Company Managers and Employees;
 - (b) Addressing specific areas of potential fraud and abuse;
 - (c) Quality of care issues;
 - (d) Quality of Life;
 - (e) Facility practices; and
 - (f) Financial arrangements with physicians, vendors, referral sources and outside contractors.

2. Operating and monitoring the Compliance Plan and reporting directly to the Governing Board and Chief Executive Officer;
3. Developing and implementing regular, effective education and training plans for Employees;
4. Creating and maintaining effective lines of communication between the Compliance Committee, the Compliance Officer and all Employees, including the processes to facilitate such communication, such as suggestion boxes, an "800" number hotline for anonymous complaints, and methods to protect complainants and whistleblowers against retaliation.
5. Using monitoring, audits, reviews and/or other risk evaluation techniques to assess ongoing compliance, identify problems and patterns, and assist in the reduction of identified problems;
6. Developing policies and procedures addressing the termination or retention of excluded individuals or entities and the enforcement of appropriate disciplinary action against the Employees or Contractors who have violated corporate or compliance policies and procedures, applicable statutes, regulations or federal, state or private payor health care plan requirements; and
7. Developing policies and procedures with respect to the investigation of identified systemic problems, which includes direction regarding the prompt and proper response to detected offenses, such as the initiation of appropriate corrective action, repayments, and preventive measures.
8. Complete the Sub-Committee Quarterly Compliance Review and submit results to the Compliance Officer for review and discussion at the next Oversight Committee meeting. These reports must be submitted within two weeks of the end of the quarter.

Use of outside Legal Counsel. At the request of the Advisory Committee and/or Compliance Officer, outside lawyers may assist in internal compliance activities and investigations. Attorneys may also provide legal advice to the Sub-Committees upon request (and may even, at times, conduct or attend Sub-Committee meetings under the attorney/client privilege), and may also assist in addressing and responding to investigations or audits brought by government agencies or third party payers. Rather than contacting outside legal counsel first or directly, Employees should always direct their questions and concerns about compliance to the Compliance Officer first to ensure such questions or concerns are addressed appropriately.

V. SUN HEALTH EMPLOYEES

All Employees have the following responsibilities:

- (A) To act in compliance with state and federal laws and regulations;

- (B) To uphold Standards of Conduct;
- (C) To uphold Policies, Procedures and Protocols;
- (D) To attend and participate in educational plans;
- (E) To seek advice from the Compliance Officer, Oversight or Sub-Committee members when the proper course of action is unclear or unknown;
- (F) To watch for and report in good faith possible violations of the law, Sun Health's Code of Conduct, Standards of Conduct, Policies, Procedures, Protocols, or the Compliance Plan. Employees may report possible violations or concerns about possible violations in person or anonymously.

Sun Health will not permit and does not condone any act of retaliation against any Employee who raises a concern or reports a violation, and if any Employee experiences, witnesses or hears about any such retaliatory act *occurring*, the Employee should report the act or conduct to the Compliance Officer as soon as possible.

VI. RISK AREAS

Risk Areas are categories of activity that have been identified as raising a significant risk of noncompliance or concerns about quality of care, or fraudulent activities. This list of "risk areas" will change over time as Employees note concerns, new laws and regulations are enacted or adopted, and events provoke additional scrutiny by the Committee in areas not contemplated previously. The list of "risk areas" will be provided in Appendix B to the Compliance Plan on an annual basis.

All Sun Health Employees must regularly review all of the ***Risk Areas*** and the ***Policies and Procedures*** which Sun Health adopts to address these Risk Areas. **Each Employee should be most familiar generally with all the *Risk Areas*, but each Employee should be especially knowledgeable about the Risk Areas and Policies that are specifically relevant to his or her specific job duties.** All questions and concerns regarding the Risk Areas and Policies and Procedures should be directed to the Compliance Officer or the Oversight Committee Compliance Sub-Committees to address or delegate as appropriate.

(A) RISK AREA: Quality of Care

Federal law requires that our policies help residents attain or maintain their highest practicable physical, mental, and psychosocial well-being. To achieve this end, the Compliance Officer, the Oversight Committee and the Sub-Committees may focus on the following topics and activities:

1. Sufficient staffing.
2. Comprehensive Resident Care Plans.
3. Medical records and charting.
4. Medication Management - with Special Emphasis on Psychotropic Medication.

5. Resident Safety.
6. Review of Surveys, including Annual Surveys, Validation Surveys and Complaint Surveys.
7. Patient outcomes.

(B) RISK AREA: Submission of Accurate Claims

(C) RISK AREA: Fraud and Abuse

1. OIG Fraud Alerts; Special Advisory Bulletins and the OIG Annual Work plan.
2. Illegal kickbacks - Relationships with Referral Sources.
3. Stark violations.

(D) RISK AREA: OIG Exclusion Database, Criminal Background Checks and Professional Licensure Review

(E) RISK AREA: Resident Rights

(F) RISK AREA: HIPAA Privacy Rights and Security

(G) RISK AREA: Resident Personal Funds

(H) RISK AREA: Employment

1. Company practices
2. Employee conduct

VII. EDUCATIONAL PLANNING

(A) Employee Education

Because the effectiveness of the Compliance Plan depends on each Employee, a variety of educational modalities will be provided to help all Employees meet their obligations under the Compliance Plan. All Employees have access to the Code of Conduct and the Compliance Plan for review on the Employee Portal, as well as supporting policies, and periodic compliance updates and alerts. Employees will complete the Corporate Compliance Plan in-service annually. In addition, special topics on compliance may be addressed as the need arises from time to time. Attendance at and participation in education plans is a condition of continued employment. Failure to comply with training requirements may result in disciplinary action up to and including termination.

(B) New Employee Education

New Employees will review the Code of Conduct and the Compliance Plan during new hire orientation and in-services, and receive training appropriate to the job responsibilities as soon as practicable after hiring.

(C) Affiliates, Contractors and Vendors

Medical Directors, attending physicians, temporary staff, independent contractors, vendors and any other nonemployees ("Affiliates") who may provide services and/or submit bills on behalf of Sun Health may be provided, as education, a copy of Sun Health's Code of Conduct and Compliance Plan. In addition, each Affiliate will be responsible for adhering to Sun Health Code of Conduct and Compliance Plan by signing a Business Associate Agreement (Agreement). Failure to adhere to Sun Health Code of Conduct and Compliance Plan or to demonstrate an appropriate commitment to compliance will be grounds for termination of the contract and the Affiliate will be required to indemnify Sun Health for any liability arising from its noncompliance. The Oversight Committee will delegate to appropriate staff members to collect and monitor the agreements from Affiliates on each campus.

VIII. AUDITING AND MONITORING

The Sub-Committees will conduct ongoing monitoring of all important aspects of our facility's business operations and report their committee's significant findings to the Oversight Committee. The Sub-Committee or through designated employees, will quarterly pull a representative sample of each type of paperwork to review for compliance.

IX. REPORTING POSSIBLE NONCOMPLIANT CONDUCT

The following provisions are intended to encourage and provide a variety of convenient and confidential means for Employees to ask compliance questions and report internally any activity which the Employee suspects may be noncompliant without fear of retaliation.

(A) WHAT TO REPORT

Employees should report any activity, practice or conduct which they suspect may be noncompliant, no matter how small or seemingly insignificant. The reports will be screened and investigated, so only verified noncompliant behavior will be disciplined.

(B) HOW TO REPORT

Reporting is easy. Employees can report verbally or in writing. A report can be made ANONYMOUSLY. Employee can do any of the following:

1. Talk with your supervisor.
2. Call, speak with, meet with or email the Compliance Officer;
3. Call, speak with, meet with or email any member of the Oversight Committee or Sub-Committees;
4. Send in or drop off a written report – either signed or anonymous – with the Compliance Officer or any member of the Oversight Committee or Sub-Committees;

5. Put a note – either signed or anonymous – in the comments on portal for electronic submission or in an inter-office envelope to the Compliance Officer
6. Call the "800" number, either anonymously or by giving your name; and
7. Contact a member of the Administration or Management.

If the Employee believes that a report is not being adequately or timely addressed, the Employee may escalate directly to the Compliance Officer, Oversight Committee or Sub-Committees.

(C) WHAT TO INCLUDE IN THE REPORT

Employees should include in the report as much detail and as many facts as the Employee knows, such as, for example, a description of the activity, practice or conduct which has raised a concern, dates and times of the conduct or events, the name(s) of the patient(s), if applicable, the name(s) of the Employee(s) whose conduct is causing concern, the names of other witnesses, any documentation that can be reviewed by the Compliance Officer, the Oversight Committee, or the Sub-Committees, and any other facts which the Employee believes are relevant.

(D) EMPLOYEE'S DUTY TO REPORT

The duty and affirmative responsibility of Sun Health Employees is not to ignore noncompliant conduct, no matter how small or insignificant it may seem. Sun Health employees owe a duty of loyalty to Sun Health as an organization and as an employer, and part of that duty of loyalty is to report suspected noncompliant conduct or practices INTERNALLY to the Company's Compliance Officer, Oversight Committee, Sub-Committees, or management BEFORE taking complaints or concerns to third-parties outside our organization. This is to ensure that Sun Health has the opportunity to address concerns, fix problems and improve its performance before and without litigation or the involvement of governmental investigative or enforcement agents.

(E) CONFIDENTIALITY AND NONRETALIATION

To encourage Sun Health employees to freely report potentially noncompliant conduct, Sun Health will not retaliate in any way against any individual who, in good faith, files a report or raises any concern. Additionally, Sun Health will strive to maintain to the greatest extent possible, the confidentiality of both those who file reports and the information contained in the reports.

Upon receipt of a report or a complaint from any source, acknowledgement will be made within 24 hours or next business day following the receipt to the source (if known) and feedback on the status or resolution will be given within 30 days. The Corresponding Compliance Officer or Committee will assign an appropriate individual to conduct an appropriate and timely investigation which may involve any means which the Committee finds necessary, advisable or pertinent under the circumstances,

such as, for example, interviews of Sun Health employees or other witnesses, review of documentation, or consultation with counsel or third parties.

X. DISCIPLINE

Compliance with Sun Health Standards of Conduct is important to Sun Health and all of its Employees. Noncompliance can have adverse consequences for Sun Health as a whole and for the individuals directly involved.

(A) Imposing Discipline for Noncompliant Conduct or Failing to Report Noncompliant Conduct.

If, at the conclusion of an investigation, the corresponding Committee determines that: (a) a Sun Health Employee has intentionally, recklessly, or negligently engaged in noncompliant conduct; or (b) a Sun Health Employee has knowingly failed to report noncompliant conduct of which he or she had direct and actual knowledge; the Committee may recommend to the Administration that the Employee be disciplined and the sanctions to be imposed, which may include verbal or written warnings, compulsory education, financial penalties, temporary suspension from work, and/or termination with cause. The Employee or Affiliate may also be required to repay to Sun Health any reimbursements or repayments made by Sun Health to a payer resulting from, caused by or attributable to such Employee's or contractors failure to comply with federal or state law, regulations or rules, or the regulations, rules or requirements of a third-party payer.

The Committee leading the investigation may suggest sanctions which, based upon their best judgment, are: (1) appropriate to the specific facts of the situation and to the specific conduct which the investigating body found to be noncompliant; (2) sufficient to deter future similar conduct by the same or any other Employee or Affiliate of Sun Health; and (3) reasonably consistent with previous sanctions imposed in generally similar circumstances. Final determination of discipline or sanctions will be made by the Compliance Office in conjunction with the Oversight Committee to promote consistency and fairness across Sun Health.

(B) False Reports.

The policy of Sun Health is that no Employee shall be punished for mistakenly reporting what is reasonably believed in good faith to be an actual or potential act of wrongdoing or a violation of the Compliance Plan. However, an Employee may be subject to disciplinary action if it is determined that the report of wrongdoing was knowingly fabricated by the Employee or was knowingly distorted, exaggerated, or minimized to either injure someone else or to protect himself/herself.

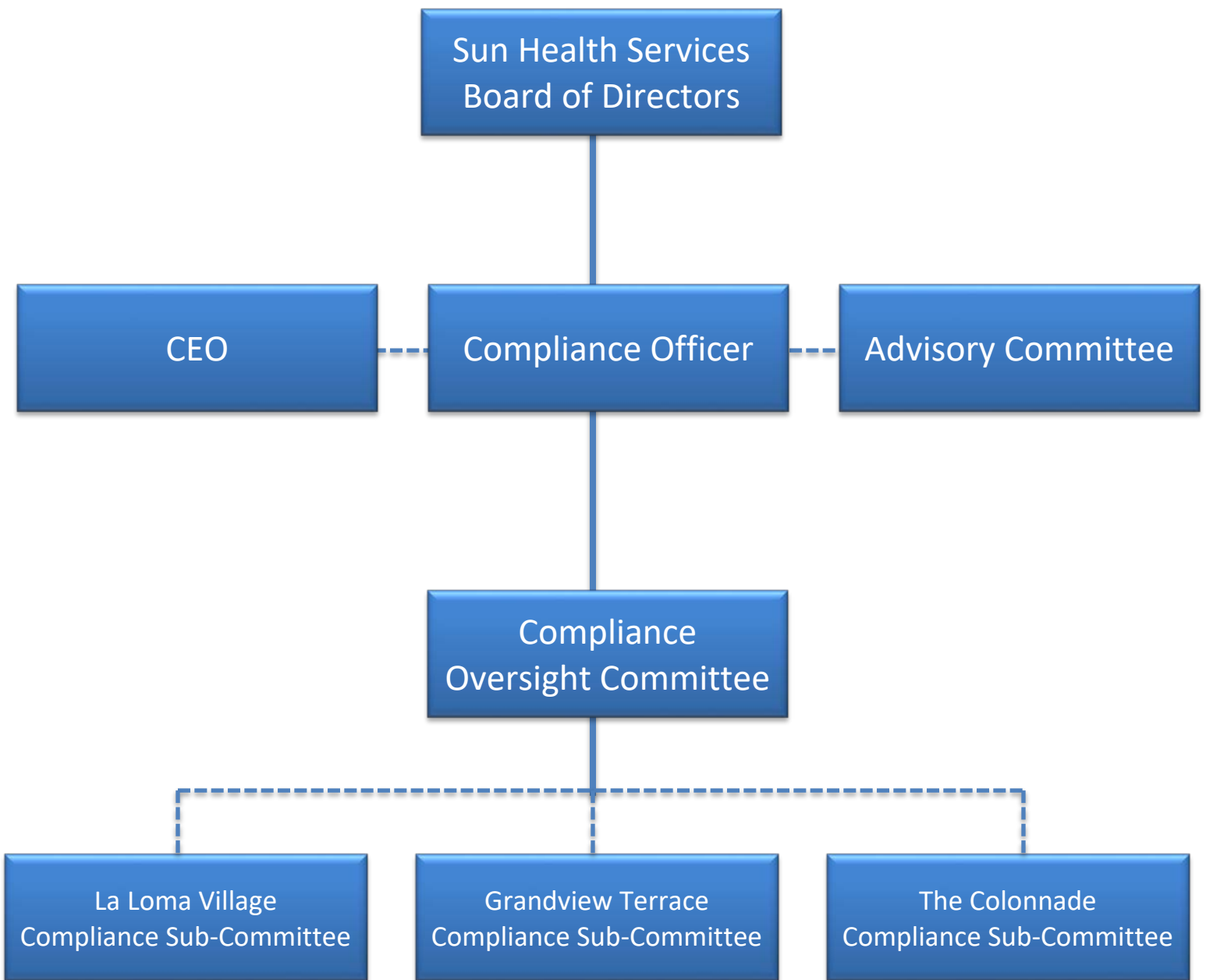
(C) Self-Reporting.

Sun Health encourages Employees to report their own lapses in compliance and may consider a self-report as a mitigating factor when determining necessary and appropriate discipline. The weight to be given to the self-report will depend on all the facts and circumstances known to the corresponding Committee at the time it recommends its disciplinary decision, including the remorsefulness of the Employee, whether the admission was complete and truthful, and whether the Employee's involvement was previously known to Sun Health or its discovery was imminent.

XI. CORRECTIVE ACTION

If the Compliance Officer or Oversight Committee determines, pursuant to its investigation, that corrective action is advisable, it may recommend to the Administration such measures as it believes are reasonably necessary to remedy noncompliant practices or to prevent them in the future. Such corrective action may include Employee discipline as set out in Section VIII above.

Corporate Compliance Program Structure Chart





Strong Ethics

Are Everyone's Business

If you have a concern about unethical, unsafe or illegal activity at work, please share your thoughts with your immediate supervisor. If you'd prefer to share your feedback anonymously, simply call or visit the website below.



Safe, Secure
and Totally
Confidential

855-OUR-SUN-H (855-687-786-4)
EthicsHotline.org/SunHealth