

COMPLIANCE 14.0 RESPONSE TO GOVERNMENT INQUIRIES, INVESTIGATIONS OR AUDITS

Scope: All subsidiaries of Universal Health Services, Inc., including facilities, Independence Physician Management, Prominence Health Plan and UHS of Delaware Inc. and their personnel.

Purpose: To establish procedures for facility and UHS employees regarding government inquiries, investigations and audits from government officials, representatives, investigators or other individuals acting on behalf of the government, to assure that they act appropriately in cooperation with the investigation or audit, as well as to enable UHS to lawfully protect its interests.

Policy: It is the policy of UHS and its subsidiaries to cooperate fully with any lawful government investigation or audit. UHS expects all subsidiary employees to extend the same cooperation within the guidelines of this policy. Accordingly, this policy covers:

1. Telephone calls or letters from a government official, representative, investigator or other individual acting on behalf of the government.
2. Presentation of demand letters, subpoenas, or search warrants.
3. On-site visits to or inspections of UHS subsidiaries, including corporate and/or facility premises, by a government official, representative, investigator or other individual acting on behalf of the government.
4. Visits to the homes or other locations of current employees by a government official, representative, investigator or other individual acting on behalf of the government.
5. Other contacts with a government official, representative, investigator or other individual acting on behalf of the government.

Procedure:

If a facility or UHS employee is contacted at a UHS subsidiary workplace by an official, representative, investigator or other individual acting on behalf of the government, the employee should: (1) immediately contact the Chief Compliance Officer or Facility Compliance Officer (“FCO”) and the UHS Office of General Counsel; and (2) ask to see credentials or proper identification, including a business card, before speaking further with the person.

Upon receipt of notice of or information regarding a government investigation, the Chief Compliance Officer and/or Facility Compliance Officer shall immediately contact the UHS Office of General Counsel, as appropriate.

Request for Interviews

An interview of a facility or UHS subsidiary employee may be requested by a government official, representative, investigator or other individual acting on behalf of the government. The UHS Office of General Counsel should be immediately notified and may be consulted regarding any such request. If an employee decides to be interviewed by the government official, representative, investigator or other individual acting on behalf of the government, the employee should always be truthful, cooperative and polite. If the employee does not know with certainty the answer to any question, it is appropriate for the employee to say that he or she does not know the answer to the question. In addition, the employee may stop the interview or conversation at any time.

Demand for Documents

A government official, representative, investigator or other individual acting on behalf of the government may arrive at a UHS subsidiary's facility or premises with written authority seeking documents. This authorization may come in the form of a demand letter, subpoena, or search warrant.

Once there has been notice of an investigation, the destruction portion of any policy on record retention is suspended and NO documents may be destroyed until notified otherwise by the UHS Office of General Counsel.

1. Demand Letters and Subpoenas

- (a) If the authorization is either a demand letter or subpoena, the employee must request that the government official, representative, investigator or other individual acting on behalf of the government wait until either the Chief Compliance Officer, Facility Compliance Officer, UHS legal counsel, the Administrator on-call, or other UHS of Delaware or facility official "in charge" is notified.
- (b) The employee should ask the government official, representative, investigator or other individual acting on behalf of the government for proper identification, including their business cards, and the employee should list the names and positions of all the investigators along with the date and time of the demand.

2. Search Warrants

- (a) If a government official, representative, investigator or other individual acting on behalf of the government presents a valid search warrant and identification, employees must understand that they have the authority to enter the premises, to search for evidence of criminal activity, and to seize those documents or items listed in the warrant. No employee shall interfere with the search and must provide the documents or items sought in the warrant.

- (b) All employees should request an opportunity to consult with the UHS Office of General Counsel before a search commences. Note, however, that this request may not be granted by the investigators. However, employees (1) should request copies of the warrant and the affidavit providing reasons for the issuance of the warrant, and (2) should provide the UHS Office of General Counsel with a copy of the warrant immediately if possible. If counsel from the UHS Office of General Counsel can be reached by telephone, the employee should put counsel directly in touch with the lead investigator.

- (c) Staff members should first discuss with the UHS Office of General Counsel before responding to any inquiries from the investigator in connection with a search warrant at a UHS subsidiary facility or premises and before signing any document presented in connection with a search warrant.

- (d) To the extent possible, employees should create a list or inventory of all documents and the general information in any documents taken by the investigators. Note in as much detail as circumstances allow the precise areas and files searched, the time periods when each of them was searched, the manner in which the search was conducted, the government official, representative, investigator or other individual acting on behalf of the government who participated, and which files were seized.

Revision Dates:

11-29-2021; 7-27-2020; 10-12-2017; 10-01-2015; 10-26-2012

Implementation Date: 10-21-2010

Reviewed and Approved by:

UHS Compliance Committee