

CORPORATE POLICY

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APPROVAL AND CHANGE CONTROL

Effective Date: December 15, 2022 Approved By: Debra M. Lightner Signature:	Title: Senior Vice President and Chief Compliance Officer
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Effective Date: December 15, 2022 Approved By: Karen M. Ignagni Signature:	Title: Chief Executive Officer
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Policy Effective Date: November 6, 2007

Revision Record

<u>Number</u>	<u>Title</u>	<u>Revision Date</u>
EP.GB.CO.03m	Non-Retaliation and Non-Intimidation	December 15, 2022
EP.GB.CO.03l	Non-Retaliation and Non-Intimidation	August 19, 2021
EP.GB.CO.03k	Non-Retaliation and Non-Intimidation	November 19, 2020
EP.GB.CO.03j	Non-Retaliation and Non-Intimidation	November 21, 2019
EP.GB.CO.03i	Non-Retaliation and Non-Intimidation	April 18, 2019
EP.GB.CO.03h	Non-Retaliation and Non-Intimidation	December 19, 2017
EP.GB.CO.03g	Non-Retaliation	May 25, 2017
EP.GB.CO.03f	Non-Retaliation	June 20, 2016
EP.GB.CO.03e	Non-Retaliation	May 28, 2014
EP.GB.CO.03d	Non-Retaliation	March 26, 2014
EP.GB.CO.03c	Non-Retaliation	June 26, 2013
EP.GB.CO.03b	Non-Retaliation	July 19, 2011
EP.GB.CO.03a	Non-Retaliation	September 30, 2009

This Policy Supersedes the Following Policies:

<u>Number</u>	<u>Title</u>	<u>Effective Date</u>
HIP CP.GB.LE.02b	Non-Retaliation	September 9, 2005

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POLICY STATEMENT

POLICY APPLIES TO

EmblemHealth, Inc. and all of its affiliates and subsidiaries, except for AdvantageCare Physicians, P.C.

All companies referenced above may be collectively referred to as the “Company” or “EmblemHealth”.

DEFINITIONS

Key Person — Any person other than a member of the Board of Directors (Board Director) or officer, whether or not an employee of the Company, who: (1) has responsibilities, or exercises powers or influence over the Company as a whole similar to the responsibilities, powers, or influence of Board Directors and officers; (2) manages the Company, or a segment of the Company that represents a substantial portion of the activities, assets, income or expenses of the Company; or (3) alone or with others controls or determines a substantial portion of the Company’s capital expenditures or operating budget.

Mental Health Parity (MHP) — The Mental Health Parity and Addiction Equity Act of 2008 (MHPAEA) requires insurers that offer behavioral health benefits to do so in “parity” with medical and surgical benefits. Federal and state laws require health plans to apply similar rules to mental health and substance use disorder (MH/SUD) benefits as they do for medical and surgical benefits. It assures that behavioral health benefits are administered comparable to, and no more stringently than, medical/surgical benefits.

POLICY STATEMENT

The Company strives to maintain a working environment that promotes prevention, detection and resolution of instances of conduct that do not comply with applicable rules, laws and regulations, its Standards of Conduct or its corporate policies. Every Company employee, officer, Board Director, Key Person, and volunteer is responsible for complying with applicable rules, laws and regulations, as well as with the Company’s Standards of Conduct and corporate policies. Third-party suppliers (i.e., delegates, vendors, consultants) are responsible for complying with applicable rules, laws and regulations, as well as with their Standards of Conduct and corporate policies.

Every Company employee, officer, Board Director, Key Person, volunteer, or third-party supplier is responsible for reporting, in good faith, any conduct believed or perceived to be in violation of applicable rules, laws, regulations, the Company’s Standards of Conduct or any of its corporate policies. To ensure that this can occur, the Company and its Board of Directors

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maintains and oversees compliance with this Non-Retaliation and Non-Intimidation Policy, which protects any Company employee, officer, Board Director, Key Person, volunteer or third-party supplier who reports, in good faith, any actual, suspected or potential compliance concern from retaliation, intimidation or reprisal.

Statement of Non-Retaliation and Non-Intimidation

The Company strictly prohibits retaliation, intimidation or reprisal by any Company employee, officer, Board Director, Key Person, volunteer, or third-party supplier (i) against any Company employee, officer, Board Director, Key Person, volunteer, or third-party supplier, who, in good faith, reports or complains of an actual, suspected or potential violation of any rules, laws, regulations, the Company's Standards of Conduct or any of its corporate policies; or (ii) against any Company employee, officer, Board Director, Key Person, volunteer, or third-party supplier, who is involved in the investigation of a report or complaint of a violation of any rules, laws, regulations, the Company's Standards of Conduct or any of its corporate policies.

This Policy also expressly prohibits retaliation, intimidation or reprisal by any Company employee, officer, Board Director, Key Person, volunteer or third-party supplier against any person who, in good faith, reports or complains of an actual, suspected or potential violation of state and federal Mental Health Parity (MHP) laws and regulations. Any Mental Health Parity (MHP) questions, concerns, or complaints should be directed to the Chief Compliance Officer.

No employee, officer, Board Director, Key Person, volunteer, or third-party supplier, shall be subject to any retaliation, intimidation or reprisal for a good faith report of an actual, suspected or potential violation of a law or regulation, or of the Company's Standards of Conduct or any of its corporate policies. The term "good faith" is used in this Policy to describe an action taken with sincerity, without the intention of deceiving, and with an honest and reasonable basis for believing the act complained of or reported violated an applicable law, regulation, Standards of Conduct or corporate policy. Notwithstanding anything to the contrary in this Policy, anyone who participates in, is involved in, or acquiesces in the reported violation (regardless of whether such individual is the one to report the violation or conduct) may be subject to disciplinary action, up to and including termination for that participation, involvement, or acquiescence.

Sexual Harassment and Other Forms of Discrimination

In compliance with the provisions of federal and state sexual harassment and discrimination laws, the Company strictly prohibits retaliation, intimidation or reprisal by any employee, officer, Board Director, Key Person, volunteer, or third-party supplier against any employee, officer, Board Director, Key Person, volunteer, or third-party supplier who, in good faith, reports or complains of sexual or any other form of harassment or discrimination in violation of corporate policy, or against any employee, officer, Board Director, Key Person, volunteer, or

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third-party supplier who is involved in the investigation of a report or complaint of sexual harassment or any other form of harassment or discrimination in violation of corporate policy.

Federal Law

Federal False Claims Act/Whistleblower Protection

The Federal False Claims Act prohibits retaliation against employees, contractors or agents for filing a qui tam (whistleblower) lawsuit or otherwise assisting in the prosecution of a False Claims Act claim. Under the False Claims Act, employees, contractors or agents who are the subject of such retaliation may be awarded reinstatement, back pay and other compensation. In compliance with the provisions of the False Claims Act, the Company strictly prohibits any form of retaliation against employees, contractors or agents for filing or assisting in the prosecution of a False Claims Act case (see the Fraud, Waste and Abuse Policy).

The False Claims Act provides protection to qui tam employee relators who are discharged, demoted, suspended, threatened, harassed, or in any other manner discriminated against in the terms and conditions of their employment as a result of their furtherance of an action under the False Claims Act. The False Claims Act provides protection to qui tam vendor or contractor relators who are retaliated against or adversely affected as a result of their furtherance of an action under the False Claims Act. Remedies for unlawful retaliation include reinstatement with comparable seniority as the qui tam relator would have had but for the retaliatory action, two times the amount of any back pay, interest on any back pay, and compensation for any special damages sustained as a result of the retaliatory action, including litigation costs and reasonable attorneys' fees.

State Law

New York State (NYS) Labor Law

The NYS Labor Law (sections 740-741) prohibits an employer from taking retaliatory action against an employee in certain circumstances if the employee discloses certain information about the employer's policies, practices or activities to a regulatory, law enforcement or other similar agency or public official.

“Protected disclosures” are those that assert that the employer is in violation of a law that creates a substantial danger and specific danger to the public health and safety or which constitutes health care fraud under the Penal Law §177 (knowingly filing, with intent to defraud, a claim for payment that intentionally has false information or omissions). The employee's disclosure is protected only if the employee first brought up the matter with a supervisor and gave the supervisor a reasonable opportunity to correct the alleged violation.

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NYS False Claims Act

The NYS False Claims Act (State Finance Law §189) also provides protection to qui tam relators (individuals who commence a False Claim action) who are discharged, demoted, suspended, threatened, harassed, or in any other manner discriminated against in the terms and conditions of their employment as a result of their furtherance of an action under the Act.

The Nonprofit Revitalization Act of 2013

The Nonprofit Revitalization Act made significant changes to the New York Not-for-Profit Corporation Law including, but not limited to, corporate governance of a not-for-profit corporation; restrictions on Related Party Transactions; voting on compensation; mandatory adoption of a Conflicts of Interest Policy and a Whistleblower Policy; and prohibition of an employee of a Not-for-Profit Corporation to serve as the chair of the Board or any other title with similar responsibilities.

Procedure

The Company's Chief Compliance Officer, or designee, is the administrator of this Policy and shall report to the Board of Directors and its Compliance Committee, or any other designated committee of the Company's Board of Directors, regarding this Policy and any incidents related to it. Board Directors who are employees may not participate in any Board or committee deliberations or voting regarding any incidents.

The person who is the subject of the incident may make a presentation or answer questions at the Board or Committee meeting but, after such presentation, the person shall leave the meeting during the discussion of, and the vote on, the incident.

This Policy shall be distributed to all Board Directors, officers, employees, Key Persons, volunteers to the Company, and third-party suppliers and shall be posted on the Company's intranet site.

To report an actual or suspected violation of this Non-Retaliation and Non-Intimidation Policy, employees should contact their supervisor, the Human Resources department, the Chief Compliance Officer or the Legal department. Board Directors, Key Persons, employees, third-party suppliers, and volunteers may utilize the Company's Compliance and Ethics Hotline at **844-I-COMPLY** (844-426-6759), the Compliance and Ethics Hotline website: emblemhealth.mycompliance.com or the Company's Fraud Hotline at **888-4KO-FRAUD** (888-456-3728) if they wish to report an incident in confidence, if special circumstances exist, or if their issue has not been properly addressed. All reports will be treated confidentially to the extent possible and as permissible by law. Any employee,

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officer, Board Director, Key Person, volunteer, or third-party supplier can request to remain anonymous in their report and the individual's identity will be protected to the extent possible.