I. POLICY

This policy applies to the Johns Hopkins Health System Corporation ("JHHS") and the following affiliated entities: The Johns Hopkins Hospital ("JHH"), Howard County General Hospital (HCGH), Johns Hopkins Bayview Medical Center ("JHBMC"), Johns Hopkins Healthcare ("JHHC") the Johns Hopkins HomeCare Group ("JHHCG"), Johns Hopkins Community Physicians ("JHCP") and the Suburban Hospital Healthcare System ("SHHS").

The Federal and state governmental have made the investigation and prosecution of healthcare fraud and abuse one of their highest priorities and over the last few years, have implemented many new initiatives for identifying fraudulent practices. It is increasingly likely that Federal and state governmental agencies conduct audits of health care entities including hospitals, medical practices, home health agencies and equipment suppliers. The Health System's policy has been and will continue to be to provide cooperation to these governmental authorities, while at the same time protecting the rights of the Health System and all of its employees.

The Johns Hopkins Health System Corporation and its affiliates (collectively referred to as the "Health System") strives to comply fully with all of the complicated rules and regulations governing the healthcare industry and take reasonable actions to prevent or eliminate any improper activities. Nevertheless, the Health System acknowledges that governmental healthcare regulations and their enforcement are a very complex area of the law. As such inquiries are important and often complicated, the purpose of this policy is to provide a uniform method for our employees to respond to any governmental employee (Federal or State) who contacts a Health System employee either during office hours, or at home, for information regarding any Health System entity or individual which provides any healthcare items or services.
II. REFERENCE

Definition of "Federal and State Governmental Agency"
All Health System employees should be aware that, for purposes of this policy, a Federal or state governmental agency includes, but is not limited to, the following organizations:

Drug Enforcement Agency (DEA): Federal agency which oversees the administration of controlled dangerous substances.

Federal Bureau of Investigation ("FBI"): Federal Investigative arm of Federal governmental programs.

Internal Revenue Service ("IRS"): Federal agency overseeing administration of tax matters.


Centers for Medicare and Medicaid Services ("CMS"): The Federal agency and its contracted claims and fraud reviewers responsible for administration of the Medicare and Medicaid programs.

Medicare Administrative Contractors and other carriers: Agencies contracted with CMS that reimburse providers of institutional services, home health agencies, physicians, clinical laboratories, durable medical equipment, and nursing homes on behalf of the Medicare Program. Examples of these contractors include: Highmark Medicare Services and NHIC, Corp.

CMS RAC and MIC Audit Programs: The Medicare Recovery Audit Contractor ("RAC") and Medicaid Integrity Contractor ("MIC") programs developed by CMS to audit all health care providers participating in these programs for fraud, waste and abuse. Contractors in these programs include DCS Healthcare and Connelly Healthcare.

CHAMPUS/TriCare Medical Program: The Department of Defense Health Care Insurance Program.

Medicaid Fraud Control Unit ("MFCU"): The investigative arm of a State Medicaid agency.

State Attorney General's Office: The state responsible for investigating/ and prosecuting violations of state laws.

State Inspector General ("IG") for the Maryland Department of Health and Mental Hygiene ("DHMH")

III. RESPONSIBILITIES
If you are contacted by an organization that is not on this list and you are unsure whether the organization is a Federal or state governmental agency:

- Contact your manager immediately.
- If your manager is unavailable, contact the Compliance Department (410-614-6693) or the Legal Department (410-955-7949) during work hours directly.

Be aware that, in initial inquiries regarding a matter to be investigated, the fact that an investigation is underway may not be disclosed to anyone other than your manager the Compliance Department or Legal Department. For example, if an auditor or other governmental representative raises questions about matters unrelated to an employee’s customary dealings with them, issues related to contracts or business transactions, or suggestions of irregularities in business practices, accounting procedures or the like, an employee should not disregard the information, but should report the inquiry or contact to the Compliance Department or Legal Department as soon as possible. An attorney from the Legal Department is available twenty-four (24)
hours each day (410-283-2505). The Compliance Department or the Legal Department will contact Corporate Security whenever any law enforcement representatives appear at any of the Health System entities.

IV. PROCEDURES

While it is Health System's policy to cooperate fully during an investigation or inquiry, the Health System follows these procedures in order to obtain full information regarding the scope of the investigation or inquiry.

Initial Contact
When a representative of a Federal or state governmental agency contacts you anywhere, such as at home or at the office, for information regarding any Health System entity, or any other entity with which the Health System does business, you should immediately contact your Manager, the Compliance Department or Legal Department who will perform the following. If you, at that time are not able to contact any of those individuals, then do the following:

1. If the governmental representative appears in person, ask to see his or her identification and business card. Otherwise, ask for the person's name and office; address and telephone number, identification number and call the governmental representative's office to confirm his or her authority. If more than one governmental representative appears, there will often be one governmental representative in charge. You should determine who this governmental representative is and ask that governmental representative to provide this information to you.

2. If the governmental representative wants to speak with you personally, then find out why without getting into details. (See interview section below after completing all other tasks in this section).

3. If the governmental representative wants to search a Health System facility or obtain any documents from the Health System, ask to see a legal document requesting the search, such as a search warrant and any affidavit supporting the warrant. Make a copy of this legal documentation.

4. Look at the date and time on the legal documentation to make sure that the governmental representative has a valid document. A governmental representative may not search a business at a time other than within the time period specified in the legal document. (See search procedures below after completing all other tasks in this section).

5. Contact the Compliance Department or Legal Department immediately after completing these tasks and relay all information and documentation from business cards/legal documents.

6. If those parties are unavailable and cannot be contacted, call the Attorney -on - call (410-283-2505). Keep calling until you have reached one of the individuals listed above.

7. Either the Compliance Department, Legal Department or the Attorney - on - call will give you instructions on how to proceed. If the governmental asks for copies of certain documentation, or collects documentation, always make a copy of exactly the same documentation for the Health System.

8. If you receive a request in the mail from a governmental representative for documents or a subpoena, give your manager a copy immediately, and the manager will immediately fax or deliver a copy to the Compliance Department or Legal Department. Do not respond to the request until receiving instructions from the Compliance Department or Legal Department.

9. Maintain a complete and accurate listing of all visits by governmental representatives and all documentation supplied to governmental representatives.

Interviews

1. It is not unusual for governmental representatives to try to suggest that you must speak with them when they first contact you or for the governmental representatives to imply that it is wrong for you to refuse to speak with them during this first contact.
2. Governmental representatives may not threaten you in any way, require you to speak with them immediately or suggest that they may offer you a "deal" if you provide information to them. If a governmental representative tries any of these tactics, it is because he/she is trying to intimidate you. You should not let the governmental representative intimidate you into speaking with him/her before you are ready. No matter what the governmental representative might tell you, you are allowed to schedule an appointment to speak with them at a different time.

3. You are entitled to have someone with you during any interview with a governmental representative. The Health System will arrange to have the Health System's attorney present at no cost to you.

4. Of course, if you wish, you are free to speak with the governmental representative. If you choose to be interviewed by a governmental representative before calling the Compliance Department or Legal Department, then contact the Compliance Department as soon as possible after the interview. Remember that you may also have someone, like a family member, present during the interview with the governmental representative. You are encouraged to take notes during the interview.

5. During the interview with the governmental representative, you should follow these simple tips:

Always tell the truth. If you do not recall something or have no knowledge about the topic that the governmental representative is asking about, say so.

- In talking with the governmental representative, you should be very careful to answer questions completely, accurately and concisely so that there will be no misunderstanding as to what you are saying. It is important to make clear to the governmental representative whether the information that you are providing is first-hand knowledge, something you have heard, or speculation. It is good practice to avoid speculation, but if you do speculate, it is important to make sure you let the governmental representative know that you are speculating.

**Searches**
If the governmental representative wants to obtain documents or search the Health System on the spot, you should remember the following:

1. A “search” occurs any time a governmental representative enters the Health System's premises and begins to look for any documents or ask questions. A search may not be conducted without a legally valid search warrant. However, there are some governmental agencies that have the authority to assess penalties if representatives of the agency are not granted immediate access upon reasonable request to a health care entity. These agencies include OSHA, state Medicaid fraud control units, the Office of the Inspector General and the state Medicaid agency. Therefore, the Health System employees should strive to be courteous and helpful to governmental representatives while following the guidelines set forth in this section.

2. If the warrant is valid you may not stop the search. However, it is appropriate to request that the governmental representative allow you to contact the Compliance Department or Legal Department to determine the validity of the warrant. You should follow these steps after having the Compliance Department or Legal Department determine the validity of the warrant:

- Remember, it is a crime to obstruct an agent in the lawful execution of a valid search warrant. Some other examples of unlawful behavior are: altering or destroying documents sought in an investigation; falsely denying knowledge of information; corruptly influencing another person to exercise the privilege against self-incrimination; or intimidating a witness with the intent of influencing testimony or retaliating against a witness for testifying in an official proceeding. However, asking questions and demanding a copy of the warrant are not obstruction. Remain calm, polite and observant.
If you notice any other employees engaging in any prohibited conduct, call the Compliance Department or Legal Department immediately.

- Governmental representatives may try to obscure the documents that they are seizing from you. Therefore, it is very important that you try to keep a thorough list of all documents that the governmental representative is seizing or copying. You should assign an employee to follow each governmental representative at the Health System during their search and to take detailed notes of everything that the governmental representatives seize, those documents that the governmental representatives inspect, but do not seize or copy, and any conversations that the governmental representatives may have.

- Get a detailed receipt from the governmental representative of all documents/items for which the governmental has obtained a copy, including the number of pages copied for reimbursement purposes. If the governmental representative wishes to take original documents, ask if those documents may first be copied. If the governmental representative will not allow copies, call the Compliance Department or Legal Department. If you cannot reach the Compliance Department or Legal Department, ask if you can first make a list of all documents that the governmental is taking.

- It is not unusual for governmental representatives to seize documents or items whose loss will impede the day-to-day operation of the Health System, such as patient records and computers. If a governmental representative wants to seize any computers, you should ask the representative if you can copy all files onto a disk. You should also call the Compliance Department or Legal Department. If the governmental representative wishes to seize patient records, ask if those records may be copied so that patient care or patient confidentiality will not be compromised. You should also call the Compliance Department or Legal Department, if you cannot reach the Compliance Department or Legal Department, take detailed notes.

- You are required to answer questions concerning the location of documents.

- You are not required to answer other questions, and you can tell the governmental representative that you prefer to wait until counsel is present. As described above, the Health System will supply you with the Health System's attorney at no cost to you.

- If you are asked to sign an affidavit of any kind, do not comment as to the validity of its contents and explain that you are not authorized to sign any document prior to review by legal counsel.

Communications Regarding an Investigation

Do not discuss the matter with anyone without first receiving permission from either the Compliance Department or Legal Department. If you receive any inquiries from the media or any person or organization where you are unsure of how to respond, you should refer the inquiries to the Executive Director of Communications and Public Affairs. You should not attempt to provide any explanation other than to state that questions regarding the investigation will be answered by the department of Communications and Public Affairs. Make attempts to obtain the identity and telephone number of the inquiring party and to furnish that information to the Compliance Department or Legal Department.

Administrative Issues

Once a governmental contact is initiated, the Compliance Department shall establish a specific file for communications to and from legal counsel. The Compliance Department shall caption the file and all of the memos to legal counsel's office with the words "CONFIDENTIAL ATTORNEY-CLIENT PRIVILEGE."

- DO NOT make copies other than a file copy, or any further distributions with the exception of outside legal counsel. Distribution may destroy the privilege of confidentiality.
V. SPONSOR
Chief Compliance Officer, JHHS

VI. REVIEW CYCLE
Three (3) years

VII. APPROVAL
President Approval

________________________________________________
____________________________________
Date