

# Code of Conduct

Principle	Standard
<p><b>Mission, Vision, and Values</b> CalOptima is committed to its Mission, Vision and Values</p>	<p><b>Mission</b> To provide members with access to quality health care services delivered in a cost-effective and compassionate manner.</p> <p><b>Vision</b> To be a model public agency and community health plan that provides an integrated and well-coordinated system of care to ensure optimal health outcomes for all CalOptima members.</p> <p><b>Values = CalOptima CARES</b> Collaboration; Accountability; Respect; Excellence; Stewardship</p>
<p><b>Compliance with the Law</b> CalOptima is committed to conducting all activities and operations in compliance with applicable laws.</p>	<p><b>Transparent, Legal and Ethical Business Conduct</b> CalOptima is committed to conducting its business with integrity, honesty and fairness and in compliance with all laws and regulations that apply to its operations. CalOptima depends on its Board Members, Employees and those who do business with it to help fulfill this commitment.</p> <p><b>Obeying the Law</b> Board members, Employees and Contractors (including First Tier and Downstream Entities included in the term “FDRs”) shall not lie, steal, cheat or violate any law in connection with their employment and/or engagement with CalOptima.</p> <p><b>Fraud, Waste &amp; Abuse (FWA)</b> CalOptima shall refrain from conduct, which would violate the fraud, waste and abuse laws. CalOptima is committed to the detection, prevention, and reporting of fraud, waste and abuse. CalOptima is also responsible for ensuring that Board members, Employees and FDRs receive appropriate FWA training as described in regulatory guidance. CalOptima’s Compliance Plan, Fraud, Waste and Abuse Plan and policies describe examples of potential fraud, waste and abuse and discuss Employee and Contractor FWA obligations and potential sanctions arising from relevant federal and state FWA laws. CalOptima expects and requires that its Board members, Employees, and Contractors do not participate in any conduct that may violate the FWA laws including, federal and state anti-kickback laws, false claims acts, and civil monetary penalty laws.</p> <p><b>Political Activities</b> CalOptima’s political participation is limited by law. CalOptima funds, property, and resources are not to be used to contribute to political campaigns, political parties, and/or organizations. Board members, Employees and Contractors may participate in the political process on their own time and at their own expense but shall not give the impression that they are speaking on behalf of or representing CalOptima in these activities.</p> <p><b>Anti-Trust</b> All Board members, Employees, and Contractors must comply with applicable antitrust, unfair competition and similar laws, which regulate competition. Such persons shall seek advice from legal counsel if they encounter any business decisions involving a risk of violation of antitrust laws. The types of activities that potentially implicate antitrust laws include, without limitation, agreements to fix prices, bid rigging and related activities; boycotts, certain exclusive dealings and price discrimination agreements; unfair trade practices; sales or purchases conditioned on reciprocal purchases or sales; and discussion of factors determinative of prices at trade association meetings.</p>

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<p><b>Member Rights</b>            CalOptima is committed to meeting the health care needs of its members by providing access to quality health care services.</p>	<p><b>Member Choice, Access to Health Care Services, Continuity of Care</b>            Employees and Contractors shall comply with CalOptima policies and procedures and applicable law governing member choice, access to health care services and continuity of Member care. Employees and Contractors shall comply with all requirements for coordination of medical and support services for persons with special needs.</p> <p><b>Cultural and Linguistic Services</b>            CalOptima and Contractors shall provide culturally, linguistically and sensory appropriate services to CalOptima members to ensure effective communication regarding diagnosis, medical history and treatment, and health education.</p> <p><b>Disabled Member Access</b>            CalOptima's Facilities shall adhere to the requirements of Title III of the Americans with Disabilities Act of 1990 by providing access for disabled Members.</p> <p><b>Emergency Treatment</b>            Employees and Contractors shall comply with all applicable guidelines, policies and procedures and law governing CalOptima member access and payment of emergency services including, without limitation, the Emergency Medical Treatment and Active Labor Act ("EMTALA") and state patient "anti-dumping" laws, prior authorization limitations, and payment standards.</p> <p><b>Grievance and Appeals Processes</b>            CalOptima, its Physician Groups, its Health Networks and Third Party Administrators (TPA) shall ensure that CalOptima members are informed of their grievance and appeal rights including, the State Hearing process, through member handbooks and other communications in accordance with CalOptima policies and procedures and applicable laws. Employees and Contractors shall address, investigate, and resolve CalOptima member complaints and grievances in a prompt and nondiscriminatory manner in accordance with CalOptima Policies and applicable law.</p>
<p><b>Business Ethics</b>            In furtherance of CalOptima's commitment to the highest standards of business ethics, Employees and Contractors shall accurately and honestly represent CalOptima and shall not engage in any activity or scheme intended to defraud anyone of money, property, or honest services.</p>	<p><b>Candor &amp; Honesty</b>            CalOptima requires candor and honesty from individuals in the performance of their responsibilities and in communications including, communications with CalOptima's Board of Directors, supervisory employees attorneys, and auditors. No Board member, Employee, or Contractor shall make false or misleading statements to any members and/or persons or entities doing business with CalOptima or about products or services of CalOptima.</p> <p><b>Financial and Data Reporting</b>            All financial reports, accounting records, research reports, expense accounts, data submissions, attestations, timesheets and other documents must accurately and clearly represent the relevant facts and the true nature of a transaction. CalOptima maintains a system of internal controls to ensure that all transactions are executed in accordance with management's authorization and recorded in a proper manner to maintain accountability of the agency's assets. Improper or fraudulent accounting documentation or financial reporting or false or misleading encounter, claims, cost or other required regulatory data submissions is contrary to the policy of CalOptima and may be in violation of applicable law and regulatory obligations.</p> <p><b>Regulatory Agencies and Accrediting Bodies</b>            CalOptima will deal with all regulatory agencies and accrediting bodies in a direct, open and honest manner. Employees and Contractors shall not take action with regulatory agencies and accrediting bodies that is false or misleading.</p>

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<p><b>Public Integrity</b> CalOptima and its Board members and Employees shall comply with laws and regulations governing public agencies.</p>	<p><b>Public Records</b> CalOptima shall provide access to CalOptima Public Records to any person, corporation, partnership, firm or association requesting to inspect and copy them in accordance with the California Public Records Act, California Government Code Sections 6250 et seq. and CalOptima Policies.</p> <p><b>Public Funds</b> CalOptima, its Board members, and Employees shall not make gifts of public funds or assets or lend credit to private persons without adequate consideration unless such actions clearly serve a public purpose within the authority of the agency and are otherwise approved by legal counsel. CalOptima, its Board members, and Employees shall comply with applicable law and CalOptima Policies governing the investment of public funds and expenditure limitations.</p> <p><b>Public Meetings</b> CalOptima, and its Board members, and Employees shall comply with requirements relating to the notice and operation of public meetings in accordance with the Ralph M. Brown Act, California Government Code Sections 54950 et seq.</p>
<p><b>Confidentiality</b> Board members, Employees, and Contractors shall maintain the confidentiality of all confidential information in accordance with applicable law and shall not disclose such confidential information except as specifically authorized by CalOptima policies, procedures, and applicable law.</p>	<p><b>No Personal Benefit</b> Board members, Employees and Contractors shall not use confidential or proprietary CalOptima information for their own personal benefit or for the benefit of any other person or entity, while employed at or engaged by CalOptima, or at any time thereafter.</p> <p><b>Duty to Safeguard Member Confidential Information</b> CalOptima recognizes the importance of its members' right to confidentiality and implements policies and procedures to ensure its members' confidentiality rights and the protection of medical and other confidential information. Board members, Employees and Contractors shall safeguard CalOptima member identity, eligibility, social security, medical information and other confidential information in accordance with applicable laws including the Health Insurance Portability and Accountability Act of 1996 (HIPAA), the Health Information Technology for Economic and Clinical Health Act (HITECH Act) and implementing regulations, the California Security Breach Notification Law, the California Confidentiality of Medical Information Act, other applicable federal and state privacy laws and CalOptima policies and procedures.</p> <p><b>Personnel Files</b> Personal information contained in Employee personnel files shall be maintained in a manner designed to ensure confidentiality in accordance with applicable law.</p> <p><b>Proprietary Information</b> Subject to its obligations under the Public Records Act, CalOptima shall safeguard confidential proprietary information including, without limitation, Contractor information and proprietary computer software, in accordance with and, to the extent required by, contract or law. CalOptima shall also safeguard provider identification numbers including, without limitation, Medi-Cal license, Medicare numbers, social security numbers, and other identifying numbers.</p>

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<p><b>Business Relationships</b>            Business transactions with vendors, Contractors, and other third parties shall be conducted at arm's length in fact and in appearance, transacted free from improper inducements and in accordance with applicable law and ethical standards.</p>	<p><b>Business Inducements</b>            Board members, Employees, and Contractors shall not seek to gain advantage through improper use of payments, business courtesies, or other inducements. The offering, giving, soliciting, or receiving any form of bribe or other improper payment is prohibited. Board members, Employees, Contractors and providers shall not use their positions to personally profit or assist others in profiting in any way at the expense of Federal and/or State health care programs, CalOptima or CalOptima members.</p> <p><b>Gifts to CalOptima</b>            Board members and Employees are specifically prohibited from soliciting and accepting personal gratuities, gifts, favors, services, entertainment or any other things of value from any person or entity that furnishes items or services used, or that may be used, in CalOptima and its programs unless specifically permitted under CalOptima Policies. Employees may not accept cash or cash equivalents. Perishable or consumable gifts given to a department or group are not subject to any specific limitation and business meetings at which a meal is served is not considered a prohibited business courtesy.</p> <p><b>Provision of Gifts by CalOptima</b>            Employees may provide gifts, entertainment or meals of nominal value to CalOptima's current and prospective business partners and other persons when such activities have a legitimate business purpose, are reasonable, and are otherwise consistent with applicable law and CalOptima Policies on this subject. In addition to complying with statutory and regulatory requirements, it is critical to even avoid the appearance of impropriety when giving gifts to persons and entities that do business or are seeking to do business with CalOptima.</p> <p><b>Third-Party Sponsored Events</b>            CalOptima's joint participation in Contractor, vendor or other third-party sponsored events, educational programs and workshops is subject to compliance with applicable law including gift of public fund requirements and fraud and abuse prohibitions, and must be approved in accordance with CalOptima Policies on this subject. In no event, shall CalOptima participate in any joint Contractor, vendor, or third party sponsored event where the intent of the other participant is to improperly influence, or gain unfair advantage from, CalOptima or its operations. Employees' attendance at Contractor, vendor or other third-party sponsored events, educational programs and workshops is generally permitted where there is a legitimate business purpose but is subject to prior approval in accordance with CalOptima Policies.</p> <p><b>Provision of Gifts to Government Agencies</b>            Board members, Employees and Contractors shall not offer or provide any money, gifts or other things of value to any government entity or its representatives, except campaign contributions to elected officials in accordance with applicable campaign contribution laws.</p> <p><b>Broad Application of Standards</b> CalOptima intends that these standards be construed broadly to avoid even the appearance of improper activity.</p>

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<p><b>Conflicts of Interests</b> Board members and Employees owe a duty of undivided and unqualified loyalty to CalOptima.</p>	<p><b>Conflict of Interest Code</b> Designated Employees, including Board members, shall comply with the requirements of the CalOptima Conflict of Interest Code and applicable laws. Board members and Employees are expected to conduct their activities to avoid impropriety and/or the appearance of impropriety, which might arise from the influence of those activities on business decisions of CalOptima, or from disclosure of CalOptima's business operations.</p> <p><b>Outside Services and Interests</b> Without the prior written approval of the Chief Executive Officer (or in the case of the Chief Executive Officer, the Chair of the CalOptima Board of Directors), no employee shall (1) perform work or render services for any Contractor, association of Contractors or other organizations with which CalOptima does business or which seek to do business with CalOptima, (2) be a director, officer, or consultant of any Contractor or association of Contractors; or (3) permit his or her name to be used in any fashion that would tend to indicate a business connection with any Contractor or association of Contractors.</p>
<p><b>Discrimination</b> CalOptima acknowledges that fair and equitable treatment of employees, members, providers, and other persons is fundamental to fulfilling its mission and goals.</p>	<p><b>No Discrimination</b> CalOptima is committed to compliance with applicable anti-discrimination laws including Title VI of the Civil Rights Act of 1964. Board members, Employees and Contractors shall not unlawfully discriminate on the basis of race, color, religion, national origin, age, gender, sexual orientation, physical or mental disability or any other classification protected by law. CalOptima is committed to providing a work environment free from discrimination and harassment based on any classification noted above.</p> <p><b>Reassignment</b> CalOptima, Physician Groups, and Health Networks shall not reassign members in a discriminatory manner, including based on the enrollee's health status.</p>
<p><b>Participation Status</b> CalOptima requires that Employees, Contractors, Providers and Suppliers meet Government requirements for participation in CalOptima's programs.</p>	<p><b>Federal and State Health Care Program Participation Status</b> Board members, Employees, and Contractors shall not be currently suspended, terminated, debarred, or otherwise ineligible to participate in any Federal or State health care program, including the Medi-Cal program and Medicare programs.</p> <p><b>CalOptima Screening</b> CalOptima will monitor the participation status of Employees, individuals and entities doing business with CalOptima by conducting regular exclusion screening reviews in accordance with CalOptima Policies.</p> <p><b>Disclosure of Participation Status</b> Board members, Employees and Contractors shall disclose to CalOptima whether they are currently suspended, terminated, debarred, or otherwise ineligible to participate in any Federal and/or State Health Care program. Employees and individuals and entities that do business with CalOptima shall disclose to CalOptima any pending investigation, disciplinary action or other matter that could potentially result in their exclusion from participation in any Federal or State health care program.</p>
	<p><b>Delegated Third Party Administrator Review</b> CalOptima requires that its Health Networks, Physician Groups, and third party administrators review participating providers and suppliers for licensure and participation status as part of the delegated credentialing and recredentialing processes when such obligations have been delegated to them.</p> <p><b>Licensure</b> CalOptima requires that all Employees, Contractors, Health Networks, participating providers and suppliers who are required to be licensed, credentialed, certified and/or registered in order to furnish items or services to CalOptima and its members have valid and current licensure, credentials, certification and/or registration as applicable.</p>

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<p><b>Government Inquiries/Legal Disputes</b>            Employees shall notify CalOptima upon receipt of Government inquiries and shall not destroy or alter documents in response to a government request for documents or information.</p>	<p><b>Notification of Government Inquiry</b>            Employees shall notify the Executive Director, Department of Compliance and/or their Supervisor immediately upon the receipt (at work or at home) of an inquiry, subpoena or other agency or government requests for information regarding CalOptima.</p> <p><b>No Destruction of Documents</b>            Employees shall not destroy or alter CalOptima information or documents in anticipation of, or in response to, a request for documents by any governmental agency or from a court of competent jurisdiction.</p> <p><b>Preservation of Documents Including Electronically Stored Information</b>            Board members and employees shall comply with all obligations to preserve documents, data, and records including, electronically stored information, in accordance with CalOptima Policies and shall comply with instructions on preservation of information and prohibitions on destruction of information issued by Legal Counsel.</p>
<p><b>Compliance Program Reporting</b>            Board members, Employees, and Contractors have a duty to comply with CalOptima's Compliance Program and such duty shall be a condition of their respective appointment, employment, or engagement.</p>	<p><b>Reporting Requirements</b>            All Board members, Employees and Contractors are expected and required to promptly report suspected violations of any statute, regulation or guideline applicable to Federal and/or State health care programs or of CalOptima's own Policies in accordance with CalOptima's reporting Policies and its Compliance Plan. Such reports may be made to a Supervisor, the Executive Director, Office of Compliance. Reports can also be made to CalOptima's hotline number below. Persons making reports to the hotline can do so on an anonymous basis</p> <p style="text-align: center;"><b>Compliance and Ethics Hotline: 877-837-4417</b></p> <p><b>Disciplinary Action</b>            Failure to comply with the Compliance Program, including the Code of Conduct, Policies and/or applicable statutes, regulations and guidelines may lead to disciplinary action. Discipline for failure to abide by the Code of Conduct may, in CalOptima's discretion, range from oral correction to termination in accordance with CalOptima's Policies. In addition, failure to comply may result in the imposition of civil, criminal or administrative fines on the individual or entity and CalOptima or exclusion from participation in Federal and/or State health care programs.</p> <p><b>Training and Education</b>            CalOptima provides training and education to Board members, Employees, and FDRs. Timely completion of compliance and HIPAA training is mandatory for all CalOptima Employees.</p> <p><b>No-Retaliation Policy</b>            CalOptima prohibits retaliation against any individual who reports discrimination or harassment or compliance concerns or participates in an investigation of such reports. Employees involved in any retaliatory acts may be subject to discipline, up to and including termination of employment.</p> <p><b>Referrals of FWA to Government Agencies</b>            CalOptima is obligated to coordinate compliance activities with federal and state regulators. Employees shall comply with CalOptima policies related to FWA referral requirements to federal and state regulators, delegated program integrity contractors and law enforcement agencies.</p> <p><b>Certification</b>            All Board members, Employees and Contractors are required to certify, in writing, that they have received, read, understand and will abide by the Code of Conduct and applicable Policies.</p>