Message from the President and CEO

The Patient Access Network (PAN) Foundation has developed this document based on the Code of Business Conduct and Ethics Policy adopted by the Board of Directors. It is intended to provide guidance on the business practices and principles of our organization. PAN strives to achieve its mission through compliance with all applicable laws, regulations, policies and procedures. To ensure that we fulfill this commitment, while operating in a complex and highly regulated environment, we have established the PAN Compliance Program. This Code serves as the foundation of the Compliance Program.

Our success requires the active participation of every individual associated with our organization. If you know or suspect that a law, regulation, policy or the *Code of Conduct and Ethics* is not being followed, you should report this information. My door is always open if you wish to report or discuss a concern.

To assist you in carrying out your compliance responsibilities, we have designated a PAN Chief Compliance Officer. You should reach out to that individual if you have any questions or concerns. However, if you prefer, you may call our independent Compliance Hotline (1-888-580-6442) to report a concern or make a complaint on a confidential basis. While calls to the Compliance Hotline can be made anonymously, management will not tolerate retaliation for good faith reporting of issues or concerns to anyone in management, the Chief Compliance Officer or the Compliance Hotline.

The PAN Board of Directors and management pledge our commitment to following and upholding the *Code of Conduct and Ethics* and implementing an effective Compliance Program. We recognize that our compliance efforts are key to accomplishing our mission.

Sincerely,

[Signature]

President and CEO
Purpose

The *Code of Conduct and Ethics* is intended to ensure that PAN meets its compliance goals in today’s business and healthcare environment. The Code is designed to provide general guidance, and supplement the policies and procedures adopted by PAN. The PAN Board of Directors and management pledge their commitment to following and upholding the *Code of Conduct and Ethics*, and implementing an effective compliance program.

Scope

The *Code of Conduct and Ethics* is applicable to all “Members,” who are considered to be individuals who are either acting or representing PAN in any capacity.

Glossary

**Members:** Encompasses Board Members, employees, contractors and consultants. Also included are volunteers and other persons whose conduct is under the direct control of PAN, regardless of whether and by whom they are paid.

**Stakeholders:** Refers to individuals involved with the PAN Foundation.

**“Good faith”:** Means that the individual believes or perceives the reported information to be true and accurate.

Values

PAN will be governed and operated in a manner that promotes the following organizational values.

PAN Members will:

» Comply with all applicable laws, regulations, government guidelines, policies and procedures and the *Code of Conduct and Ethics*;
» Protect the confidentiality and privacy of information;

» Seek guidance and report any possible violations of laws, regulations, government guidelines, policies and procedures and the Code of Conduct and Ethics;

» Understand their roles and responsibilities in making PAN financially sustainable and engaging in appropriate fundraising practices;

» Act with professional and personal integrity;

» Be committed to PAN’s mission;

» Respect others and support/protection diversity;

» Handle resources in a responsible manner;

» Use an appropriate level of openness about PAN’s activities and operations.

PAN embraces diversity within its Board, and among employees, those assisted, and the individuals, organizations and companies with whom we work.

PAN’s Board of Directors and the President and CEO will govern and manage PAN in a manner that advances our mission while fully adhering to this Code of Conduct and Ethics.

Principles

Conduct: PAN Members will conduct PAN-related activities in accordance with the highest moral and ethical standards. Unprofessional conduct and activities while representing PAN are prohibited. Members must not engage in any form of harassment. Harassment includes, but is not limited to, inappropriate actions, language or materials while working at or representing PAN.

Conflicts of Interest: PAN expects that Members will perform their duties in a conscientious and honest manner. Members may not use their positions or resulting knowledge for private or personal gain. If a Member believes that a course of conduct or action may involve a conflict of interest with PAN or is unsure if a particular situation could pose a conflict of interest, they should immediately communicate the facts to their supervisor or the Chief Compliance Officer. Directors, Officers, Committee Members and all employees of PAN are required to sign the PAN Conflict of Interest Policy.
**Relationships with Donors, Contractors and Suppliers:** Members should not invest in or acquire a financial interest for their personal benefit in any business organization that has a contractual relationship with PAN, or that provides money, goods or services to PAN, if such investment could influence or create the impression of influencing their decisions in the performance of duties on behalf of PAN.

**Gifts and Entertainment:** Members may not accept entertainment, gifts, personal favors or preferable treatment from a person or organization that could influence, or appear to influence, a PAN business decision or action.

**Kickbacks:** Members may not receive payments or other “remuneration” in exchange for making a decision or taking an action on behalf of PAN. Consistent with the *PAN Anti-Kickback Statute Policy*, Members may not offer, pay, solicit or receive anything of value to induce, or in exchange for the ordering or purchase, or the recommending or arranging for the order or purchase, of items or services paid for, in whole or in part, by a Federal healthcare program, such as Medicare or Medicaid.

**Funds and Assets:** Members involved with PAN funds and assets are obligated to follow prescribed policies and procedures for receiving, recording, handling and disseminating PAN funds. Members may not use PAN’s identity, stationery, supplies or equipment when engaged in a personal matter. When a Member’s position involves committing, using or spending PAN funds or incurring expenses on behalf of PAN, that individual must use good judgment to ensure that fair value is received by PAN. PAN funds and assets may not be used for personal benefit.

**Records and Communications:** Complete and accurate records are required to meet PAN’s legal and financial obligations. PAN’s records must reflect all business transactions in an accurate and timely manner. Members responsible for accounting and record-keeping must fully disclose and record assets and liabilities, and exercise due diligence in performing their jobs. Members may not make or engage in any false communication or record, internal or external, including but not limited to false expense, attendance, financial or other reports or statements. Members must comply with the *PAN Record Retention and Destruction Policy*.

**Communications with Individuals and Organizations:** When communicating publicly on matters that involve PAN, Members must not represent that they are speaking on behalf of PAN unless they are authorized and the views they express reflect PAN’s position. When dealing with individuals and
organizations, Members must be careful not to compromise the integrity or damage the reputation of PAN, or any other organization, individual or government entity.

**Information:** With respect to matters relating to government entities, donors, providers, patients and other stakeholders, Members must make every effort to ensure the provision of accurate, complete and timely information. Members are obligated to respond in a courteous and prompt manner to all appropriate requests for information and complaints.

**Conduct of Auditors:** Members may not engage in conduct that directly or indirectly misleads, improperly influences or manipulates PAN’s independent auditors.

**Privacy and Confidentiality:** When handling financial, healthcare and other personal information, Members will observe the following principles:

- PAN will collect, receive, use and retain only information that is necessary to conduct its operations. Whenever possible, Members will obtain needed and relevant information directly from an individual, as opposed to a third party. To the extent that a third party is involved, PAN will engage only reputable and reliable sources to obtain necessary information;

- Although PAN may not be a “covered entity” under the Privacy Provisions of the Health Insurance Portability and Accountability Act of 1996 (HIPAA), Members will comply with the requirements and handle Protected Health Information (PHI) in accordance with the law and regulations;

- PAN will provide financial, healthcare or personal information only to those with a legitimate business reason for obtaining that information. PAN will use financial, healthcare or personal information only for the purpose for which it was obtained and will obtain the consent of an individual before externally disclosing any financial, healthcare or personal information (unless legal or contractual obligations require otherwise).

**Protection of Property:** Members with access to PAN property or equipment are expected to protect and maintain it appropriately, and not expose it to loss, damages, misuse or theft. PAN property or equipment should only be used for legitimate PAN activities, and not for personal benefit.

**Internet and Email:** Internet and email access through the use of PAN equipment and resources is limited to sites and individuals as necessary to conduct PAN operations. Members shall not use PAN equipment and resources to access either pornography or other sites that might compromise the integrity and reputation of PAN.
Duty to Report

Members have affirmative duty to report any concerns or issues relating to potential non-compliance with applicable laws, regulations, policies or procedures. Members who, in good faith, report a potential violation of law, regulation, policy or procedure will not be subject to retaliation, retribution or harassment. See PAN’s Compliance Responsibility, Duty to Report and Non-Retaliation Policy.

Members are expected to follow all laws, regulations, Government guidelines, policies and procedures. Anyone who is aware of a potential or actual violation should report this information. In addition, if a Member has a question or concern about potentially wrongful, unethical or illegal activity, the following options are available:

» An individual should discuss the issue or concern with a supervisor. A direct supervisor is most familiar with a Member’s responsibilities and applicable laws, regulations, policies and procedures;

» If an individual is not comfortable contacting a direct supervisor or does not receive an adequate response, an issue may be raised to a member of senior management, including the President and CEO;

» A Member may also contact the PAN Chief Compliance Officer;

» Alternatively, a Member may contact the PAN Compliance Hotline. Contact may be made on a confidential or anonymous basis. The Compliance Hotline number is: **1-866-580-6442**.

Reports received by the Compliance Office will be reviewed and responded to appropriately. All allegations of wrongdoing will be carefully investigated before any action is taken. The rights of all Members, including any who are subject to a Compliance Hotline Report, will be respected and protected.

PAN has a non-retaliation policy to protect Members who report concerns or compliance issues. No disciplinary action or retaliation will be taken when a Member reports a perceived issue, problem, concern, or violation to management, the Chief Compliance Officer or the Compliance Hotline in “good faith.”
Additional Information

For more information, see the PAN Foundation website:


Or contact the PAN Foundation Compliance team:

» Interim Chief Compliance Officer, Tom Herrmann

  Phone: 703-915-1908  Email: therrmann@panfoundation.org

» Compliance Specialist, Melissa Kuhta

  Phone: 202-836-8832  Email: mkuhta@panfoundation.org