

PHILIPS RS NORTH AMERICA LLC
INELIGIBLE PERSONS POLICY

I. Purpose

This document sets forth the vetting process for prospective employees and independent contractors for Philips RS North America LLC (“Company”). This Policy also establishes and communicates the process to confirm that all existing employees and relevant entities have been appropriately screened and that existing independent contractors have been appropriately vetted.

II. Scope and Responsibilities

This Policy applies to Company, including both its business group and U.S. (including U.S. Territories) sales activities, and their officers, directors, and employees, and Company’s consultants, contract workers, and temporary workers who provide services to Company which relate to Government Reimbursed Products or Services (collectively “Company Representatives”)

III. Definitions

Corporate Healthcare Compliance Program (“CHCP”): A comprehensive compliance program developed to ensure compliance with any and all laws, rules, regulations, and industry codes and standards applicable to Company’s interactions involving Government Reimbursed Products and Services, and based on the Office of Inspector General’s Compliance Program Guidance and the AvaMed Code of Ethics on Interactions with Healthcare Professionals.

Corporate Integrity Agreement (“CIA”): Agreement between the Office of Inspector General (OIG) of the United States Department of Health and Human Services (HHS) and Company, in which Company is required to adhere to specific obligations set forth in the Agreement and in exchange, OIG agrees not to seek their exclusion from participation in Medicare, Medicaid, or other Federal health care programs.

Exclusions Lists: The Department of Health and Human Service’s (“HHS”) Office of Inspector General’s (“OIG”) List of Excluded Individuals/Entities (“LEIE”).

Government Reimbursed Products or Services: All Company products and services that are: a) marketed or sold by Company in the United States (or pursuant to contracts with United States) and b) reimbursed in whole or in part under Federal health care programs.

Ineligible Person: A Company employee, independent contractor, or entity who: (a) is currently excluded, debarred, suspended, or otherwise ineligible to participate in the Federal health care programs or in Federal procurement or non-procurement programs; or (b) has been convicted of a criminal offense that falls within the ambit of 42 U.S.C. § 1320a-7(a), but has not yet been excluded, debarred, suspended, or otherwise declared ineligible.

Independent Contractor: An agent or representative for Company, including third party service providers, vendors, or suppliers, based inside or outside of the U.S. who provides Company or its subsidiaries services relating to Government Reimbursed Products or Services.



Philips RS North America Code of Conduct (“COC”): Consists of three distinct policies, SimplyRight, Philips General Business Principles, and Code of Conduct on Interactions with Healthcare Professionals (collectively, “Code of Conduct”).

Philips RS North America Compliance Officer (“CO”): The individual designated as responsible for overseeing and managing Company’s Corporate Healthcare Compliance Program and related Corporate Integrity Agreement, and monitoring that Company and its employees are complying with applicable regulatory, legal, and compliance requirements including internal policies and procedures, as well as external regulations and codes of conduct.

IV. Policy

Company will perform regular exclusion checks, to assure we do not hire, or do business with, any person, or entity, which has been excluded from participating in federal healthcare programs.

All employees and Independent Contractors must promptly notify the Human Resources Department and the CO if they are, or become listed, on either of the Exclusions Lists or have been convicted of a criminal offense that falls within the ambit of 42 U.S.C. § 1320a-7(a).

A. Conducting Screening and Debarment Checks

1. Exclusion Checks are performed on potential hires, current employees, business partners, temporary employees and vendors, etc.
2. The table below outlines the exclusion requirements for these groups:

Type	When is exclusion check performed?	Who Performs
New Employees	Prior to hire	PeopleServices
Rehired Employees	Prior to re-hire	PeopleServices
Current Employees	Monthly	NA Legal Compliance
New Vendors or 3rd Party Service Providers	Prior to engagement/signing of contract	Accounts Payable / Business Operations
Existing and Active Vendors	Monthly	NA Legal Compliance
Independent Contractors	During First Day of Work (must include language in any agency contract that they perform these checks prior to placement and on an ongoing basis)	Initial - Temp/Placement Firm Follow up by Legal Compliance on monthly basis

Parties to a Focus Arrangement	Prior to engagement/signing a contract	CATS/iCon Record/Contract Creator or Contract Owner
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B. Management of Ineligible Persons

1. If an individual or entity has been excluded from participation in a federal health care program, the following action must be taken:

If	Then
An employee, medical director, physician or physician extender has been found to be excluded	They shall be immediately suspended from work at Company pending an investigation.
An independent contractor, vendor or business partner, who provides services or items related to federal/state health care programs, has been excluded	The Company’s Legal Department will be notified, and Company will not utilize their items or services until an investigation has been completed.

C. Reinstated After Exclusion

1. Once an exclusion period has ended, the individual or entity may apply for reinstatement with the Office of Inspector General (OIG) or other excluding agency.
2. If an individual or entity was excluded, but has since become “reinstated”:
 - Then documentation must be provided to Company to verify the reinstatement
 - Usually the documentation is in the form of a letter from the OIG to the individual or entity, and includes the date the reinstatement is effective.
3. Once documentation has been provided proving reinstatement:
 - The individual or entity may be hired/rehired.

D. Potential Unverified Matches

1. If an individual or entity is a potential match on the exclusion list further follow up and research will be conducted to verify that the entity or individual contracting or seeking to contract with Company is the specific entity or individual on the exclusion list. For vendors that are not able to be ruled out, they are blocked in the procurement system.

E. Knowledge of an Excluded Person or Entity

1. Any employee who becomes aware that he or she, or another employee, has been excluded from participation in the federal care program must immediately notify:
 - His or her manager; and
 - The Compliance Officer

F. Documentation and Recordkeeping

1. The staff that conducts the screenings required by this Policy must maintain the Screening Documentation as per Company's Record Retention Policy.

V. Appendices

Not Applicable

VI. References

RI-CP-011 Record Retention Policy