

	Ethics & Compliance Department	
	Policy No.: 47	Created: 01/2018
		Reviewed: 09/2024
	Revised: 05/2023	

HIPAA: CORRECTIVE ACTIONS / SANCTIONS

SCOPE:

All Envision Healthcare teammates. For purposes of this policy, all references to “teammate” or “teammates” include temporary, part-time and full-time employees, independent contractors, clinicians, officers and directors.

PURPOSE:

Envision Healthcare Operating, Inc. and its subsidiaries and affiliates (“Envision” or “the Company”) has adopted this Corrective Action / Sanctions policy to communicate the Company’s willingness and commitment towards enforcing its privacy and security policies and to demonstrate that the Company will hold all teammates accountable for maintaining the privacy of its patients and the security and confidentiality of patient information. Additionally, provides guidelines for addressing intentional and unintentional violations of the Company’s Privacy Policies.

POLICY:

The Company will apply the appropriate sanctions against members of its workforce and business associates who fail to comply with the Company’s privacy and security policies. These sanctions include the disciplinary actions defined by the People Services & Operations Department and may result in termination. The People Services & Operations Department is responsible for documenting the outcomes of all sanctions imposed. Remediation steps outlined in the Business Associate agreement may include termination of the business relationship.

Whether the prohibited conduct constituted simple negligence, gross negligence, or willfulness will be considered in determining and administering the punishment. Intentional or reckless non-compliance will subject transgressors to more serious sanctions. If a teammate or agent has committed a violation of these policies and procedures that might otherwise warrant termination, he or she may nevertheless be subject to a lesser punishment. The decision by the Company to terminate a teammate or agent will be influenced by such mitigating factors as:

- A) Whether he or she promptly reported his/her own violation;
- B) Whether the report constitutes the Company’s first awareness of the violation and the employee’s or the agent’s involvement; and
- C) Whether the employee or agent cooperates fully in investigating and/or correcting the violation.

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The Company’s decision to impose a punishment less stringent than termination will be left to the sole discretion of the Company.

Discipline resulting from a violation of the Privacy Policies and Procedures will be coordinated through the Privacy Official, and/or the Director of People Services & Operations. As appropriate, department directors may be required to assist in the disciplinary process.

Another element of a corrective action plan implemented in response to a confirmed deviation from Company policies and procedures, federal or state law, or private payor standards is remedial education. The Privacy Official and the applicable Director of the area will coordinate and develop an effective educational program focused on the problem areas identified. Such education may take the form of individual counseling, a requirement for repeating the online training module or organized training sessions and will be promptly implemented with appropriate teammates or agents to prevent similar problems in the future.

POLICY REVIEW

The Ethics & Compliance Department will review and update this Policy, when necessary, in the normal course of its review of the Company’s Ethics & Compliance Program.