POLICY

It is the policy of Salus Behavioral Health ("Salus") to be fully informed about any governmental investigations of the Company in order to respond and take action and to ensure that employees, contractors or agents be fully informed as to what actions to take in response to governmental requests and investigations.

PROCEDURE

1. When a subpoena, search warrant or other CID is received, the employee, contractor or agent receiving such shall comply with the following procedure:

   a. Immediately upon receipt, contact the Compliance Officer who will immediately contact the Chief Executive Officer. If the Compliance Officer is unavailable, make direct contact with the Chief Executive Officer and/or the President.

   b. The Compliance Officer or the CEO shall make the determination whether or not to contact the Company's attorney.

   c. If the attorney is to be contacted and is not immediately available, the Compliance Officer (or other designee) shall be placed in charge while the search is being conducted. If unavailable, the Program Coordinator shall be placed in charge.

   d. Ascertain who is in charge of the investigation.

      i. Request appropriate personal identification.
      ii. Request the purpose of the investigation.
      iii. Identify and note the name of the U.S. Attorney in Charge.

   e. Ascertain whether any employee is under arrest. If any employee has been placed under arrest, ascertain the reason(s) for the arrest.

   f. Examine the subpoena, search warrant or other CID.

      i. Clarify the scope of the document with the agent in charge.
      ii. If the warrant is sealed, ask the agent in charge for a verbal description of the suspected crime or civil violations which initiated the subpoena, search warrant or CID.
      iii. Clearly object if any agent attempts to search areas or seize items not designated in the warrant.

   g. Request a copy of any supporting documentation, if available, explaining why the government served the subpoena, search warrant or CID.
h. If it appears that the investigation will disrupt business functions in the business office, administration, operations or other area(s) subject to the subpoena, search warrant or CID, send nonessential employees home.

i. Assign employees to follow agents conducting the search.
   
   i. Employees shall take notes on the agents' statements or tape record conversations, if any, as well as list any materials seized by the agents.
   
   ii. If possible, an employee shall videotape the search.
   
   iii. Make sure that employees accompany agents to each area being searched at all times.

j. Object if the agent tries to review or copy documents protected by the attorney client privilege. If the agent insists on taking these documents, immediately contact the U.S. Attorney in Charge to object. If the U.S. Attorney insists that the Company surrenders these documents, copy the items and place them in a sealed envelope and sign the sealed flap portion of the envelope.

k. Have information systems personnel to assist the agents in searching and downloading computer files. Print out a directory of files and review it with the agent in charge to determine that files are within the scope of the search warrant, subpoena or other CID.

l. Obtain permission to copy all records necessary to the operation of the company before the agents take those records away.
   
   i. Have an attorney negotiate such permission with the agent in charge or the U.S. Attorney.
   
   ii. Obtain copies of all medical records, electronic records and directories.
   
   iii. Retain inventories of all files searched and downloaded.
   
   iv. Request that agents copy computer files, rather than confiscate entire computers.

m. Request an inventory of the seized items. Try to obtain from the agent in charge a copy of each agent's inventory list or a comprehensive list of all inventory obtained.

n. All employees shall be cooperative and non-combative with the agents. Access to seized records may be granted to the Company at the discretion of the prosecutor, so it is important that the Company personnel be courteous to agents seizing the records.

o. Employees may talk to government investigators if they wish but should observe the following protocol:
COMPLIANCE POLICIES AND PROCEDURES

TITLE: RESPONSE AND ACTION – SUBPOENAS, SEARCH WARRANTS, CIDS
POLICY #: CO-007

i. Employees should not answer any question posed by government investigators or individuals accompanying them until the Company's attorney is available. However, if the investigator represents HHS/OIG, the employee may proceed without any representative of the Company present (although such may not be advisable). The employee always has the right to insist that his or her counsel be present and that Company representatives be present.

ii. Employees shall not engage in "small talk" with investigators.

iii. Employees shall not make sweeping statements about the subject of the investigation, but rather shall think carefully before speaking.

iv. Employees shall tell the truth and should volunteer only that information which they know to be factual and not speculative.

p. Schedule an exit interview with the agent.

   i. Lodge any final or continuing objections to the agency's action at that time.

   ii. Send a written list of objections to the U.S. Attorney.

2. If an employee, contractor or agent is contacted for questioning at home, at work, at a secondary job or at any location or by telephone or by any method, he or she has the absolute right to refuse to be interviewed by government agents unless served with a formal subpoena or other CID.

3. If an employee, contractor or agent chooses or is legally required to be interviewed by government agents, he or she shall observe the following protocol:

   a. The employee shall notify his or her supervisor of the event.

   b. The employee, contractor or agent shall tell the truth and volunteer only that information which he or she knows to be factual and not speculative.

   c. He or she must insist that the interview take place at work during regular business hours unless the interview is by HHS/OIG, in which case the interview may be at another location if the employee so chooses.

   d. He or she has the absolute right to request appropriate personal identification from the government agent.

   e. If he or she would like to discuss the situation with an attorney, the company may assist in locating an attorney of their choice to be present during the interview.

   f. The employee should insist that a Company representative be present at the interview if the employee so desires.

4. Failure to comply with the requirements of this policy may result in disciplinary actions, up to and including termination, as set forth in the policy on discipline.
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POLICY #: CO-007

DATE CREATED: October 24, 2011
DATE MODIFIED: N/A