

Non-Retaliation Policy

Purpose

A strong non-retaliation policy is essential to promoting a culture of trust, integrity, and accountability at Excelin Health, LLC (EH). The purpose of this policy is to:

- Encourage all EH employees to report known or suspected compliance or ethical concerns;
- Provide a safe mechanism for employees to seek guidance on compliance and ethics issues;
- Affirm EH's zero-tolerance policy for retaliation and reinforce that no employee, contractor, or affiliate will face retaliation for making a good faith report or inquiry regarding potential misconduct, violations, or unethical behavior.

Definitions

Employee: Within this document, the term “employee” refers to all permanent, temporary, full-time, part-time, and volunteer employees who: 1) have primary job duties related to EH operations; and/or 2) For purposes of this policy and EH's use and disclosure procedures, the workforce includes employees, volunteers, interns, contractors, and other persons whose work performance is under the direct control of EH, whether or not they are paid by EH. The term “employee” includes all these types of workers.

Client: a person or family member of a person utilizing the services of EH

Good faith: raising a concern based on honest belief, even if it turns out to be incorrect. Good faith does not mean that an individual has to be right, but it does mean that he or she has an honest belief that the information provided in support of a compliance concern is truthful based on the existing information.

Protected activity: Actions that employees are legally entitled to take without fear of retaliation from their employer or those they work with. These activities are safeguarded by law and often involve reporting or opposing unlawful practices.

Retaliation: any action, statement, or behavior that is designed to punish an individual for filing a compliance report, cooperating with a compliance investigation, seeking guidance

regarding a compliance concern or to deter one from taking such action. Retaliation includes, but is not limited to, intimidation, adverse action against an employee regarding the terms and conditions of employment, such as termination, demotion, or suspension, as well as related threats of such actions or adverse action against a client affecting care, access to medical records, or costs of medical care.

Policy

Excelin Health, LLC (EH) is committed to operating with integrity and in full compliance with applicable laws, regulations, and internal policies. EH expects all employees to uphold the highest standards of ethical conduct. Employees are encouraged and expected to report known or suspected compliance concerns and should understand that such reporting is a protected activity.

Examples of protected activities under this policy include:

- Reporting suspected misconduct or policy violations
- Participating in a Compliance investigation
- Refusing to engage in illegal or unethical acts
- Filing a complaint internally or with a regulatory body.

EH strictly prohibits retaliation against any individual, including employees, clients, students, patients, or their relatives—who, in good faith, reports a compliance concern, seeks guidance on a potential compliance issue, or cooperates with a compliance investigation, grievance, or appeals process.

This protection extends to individuals participating in EH investigatory or grievance procedures, provided their actions are made in good faith. A report or statement is not made in good faith if it is knowingly false, made with willful disregard for the truth, or intended to mislead. Individuals who submit false or malicious reports or fail to act in good faith may be subject to disciplinary action, up to and including termination of employment.

In addition, EH employees are strictly prohibited from retaliating against any person, including clients—who exercise rights under applicable privacy laws such as the Health Insurance Portability and Accountability Act (HIPAA) or participate in related processes.

While this policy protects individuals who report concerns in good faith, it does not exempt any employee from accountability for their own misconduct. If an individual who raises a concern is also found to have violated company policy or law, appropriate disciplinary action will still be taken. Such action does not constitute retaliation.

Procedure

- I. If you believe you or someone else you know has been subject to retaliation prohibited by this policy you should promptly contact your supervisor, Human Resources, Compliance Officer, or the Compliance Hotline. Below is the contact information for Compliance:

Excelin Compliance Contact Information

Supporting all Excelin Locations

 <p>ONLINE: http://excelin.ethicspoint.com/ <i>(Can report anonymously)</i></p>	 <p>EMAIL: compliance@excelin.com</p>
 <p>PHONE: Hotline: 844-660-3970 <i>(Can report anonymously)</i> Direct line: 361-772-6331</p>	 <p>FACE-TO-FACE: call or email to request an appointment with a member of our team</p>
 <p>MAIL: Office of Compliance Excelin Health Services 1212 Corporate Drive, St 270 Irving, TX 75038-2716</p>	 <p>FAX: 361-225-1081</p>

- II. Allegations of retaliation will be investigated promptly and impartially. EH will make every reasonable effort to maintain, within the limits of the law, the confidentiality of the identity of any individual who reports possible misconduct. However, information may have to be shared on a need-to-know basis to effectively complete the investigation. EH cannot guarantee confidentiality to any party involved in an investigation but will work to maintain confidentiality to the extent possible. Any unnecessary breaches of confidentiality during an investigative process may result in disciplinary action.
- III. An individual who is found to have retaliated against an employee or client of EH in violation of this policy shall be subject to disciplinary action up to and including termination of employment.

Regulatory References

This policy is developed in alignment with the following laws and regulatory requirements:

- *EH Internal Investigation Policy*
- *False Claims Act (31 U.S.C. §§ 3729–3733)*
- *Affordable Care Act (ACA), Section 1558*
- *HIPAA Privacy Rule – 45 CFR § 160.316*
- *Federal Sentencing Guidelines – §8B2.1*
- *OSHA Whistleblower Protections (29 U.S.C. § 660, 18 U.S.C. § 1514A)*
- *California:*
 - *CA Labor Code § 1102.5 – Broad protections for employees who report violations of state or federal law.*
 - *California Whistleblower Protection Act (Gov Code § 8547) – Covers public employees and those affiliated with state programs.*
- *Texas:*
 - *Texas Health & Safety Code § 161.134 – Prohibits retaliation by healthcare facilities against employees for reporting patient care violations.*
 - *Texas Government Code Chapter 554 – Whistleblower protection for public employees.*
- *Louisiana:*
 - *LA Revised Statutes § 40:2009.17 – Prohibits retaliation against healthcare workers reporting substandard care or unsafe conditions.*

- o *LA R.S. § 23:967 – Protects private-sector employees who report legal violations or unethical acts.*

Revision Tracker

Action (New, Major Revision, Minor Revision, Review, Retired)	Date	Developer/Responsible Party	Approval by Committee	Approval by Board	Comments
New	8/7/2020	Compliance	8/18/2020	9/9/2020	Implementation date 01/01/2021
Review	8/2/2021	Compliance			No change
Review	8/17/2022	Compliance			Name change
Review	2/23/2023	Compliance			No change
Review	5/15/2024	Compliance			No change
Minor Revision	6/30/2025	Compliance			Clarification and Definitions added