



CODE OF CONDUCT

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Dear Colleague:

True to Diakon's mission, by living out our core values of **Respect, Stewardship, Service and Quality**, we build a culture in which we can all take pride. These values are reflected in our daily activities of providing hope; promoting physical, emotional and spiritual healing; and preserving the dignity of all those to whom we minister while striving consistently to provide value for each patient, resident, family member, customer and employee.

Together we have created this culture by adhering to a simple, but powerful formula: ***By taking care of our people, patients, residents and customers, good results will follow.*** We also have consistently focused on the following to help guide our behaviors and decisions:

- We honor the dignity of fellow employees, clients, residents, vendors, volunteers, directors, personnel from governmental and accrediting bodies and all others with whom we come in contact on behalf of Diakon.
- We are honest and forthright in all our communications and will use our words to “build up” rather than “tear down” individuals and the organization.
- We are good stewards of our compensated time and will not misuse or misappropriate any of Diakon's property, supplies, including computers, software, networks and access to the internet, nor will we violate applicable copyright laws or licensing agreements.
- We are partners with one another in creating a safe workplace, complying with all safety programs, policies and procedures and assisting one another to do so.

Diakon continues to strive for organizational excellence by finding ways to work smarter and do our jobs better. Our commitment to performance improvement is reflected in everything we do, including our efforts to improve quality, create a culture of service excellence, improve efficiency and grow our ministry. Our commitment to “do the right thing,” — to our ethics, our values and our compliance program — is consistent with the foundations of our culture.

This Code of Conduct is a resource that sets forth the ethical and legal standards that guide every Diakon employee. It also is a symbol of our commitment to do the right thing. We ask you to take the time to read and understand its contents. It is applicable to all aspects of our business.

As part of Diakon's commitment to quality and customer service, we need to make sure every colleague has the ability to express any concerns or complaints without fear of reprisal or any other penalty. We do this in two ways: Every member of Diakon's Management Team has an open-door philosophy that encourages employees to contact their immediate supervisor and, if necessary, to proceed up the chain of command to resolve problems and concerns. You may always opt to call Diakon's Compliance Hotline at 1-855-561-7821. The Hotline is confidential and has been developed to maintain the caller's anonymity up to the limits of the law. We can assure you that there will be no retaliation or retribution against any employee who, in good faith, reports concerns to the Hotline or to any supervisor or manager.

Thank you again for your focus on excellence, customer service, quality and compliance!

Best regards,



Scott Habecker
President and Chief Executive Officer



WHAT IS DIAKON'S COMMITMENT TO INTEGRITY?

Diakon is committed to providing quality client/resident care and outstanding customer service in order to become the most trusted and respected community service and health-care provider in every community we serve. To achieve this goal, we are driven by our commitment to our mission and our values. Our management philosophy is simple: focus on our people, quality and customer service and positive results will follow.

This Code of Conduct serves as a statement of your commitment to act with integrity on behalf of our ministry. It is also a reflection of Diakon's responsibility to conduct all business and operations in an ethical and professional manner. It is never acceptable for any Diakon representative to act in any manner that is not in accordance with these standards of excellence.

MISSION STATEMENT

In response to God's Love in Jesus Christ, Diakon Lutheran Social Ministries will demonstrate God's command to love thy neighbor through acts of service.

DIAKON'S COMPLIANCE PROGRAM: ENTERPRISE-WIDE RISK MANAGEMENT

Diakon's compliance program is a comprehensive effort to promote ethical, compliant, and legal behavior while detecting and preventing fraud, waste, abuse and policy violations. Simply put, Diakon's compliance program is designed to assist employees and business partners to integrate these values and effective performance improvement into all aspects of operations.

Diakon's compliance office assists in coordinating and implementing the program.

To promote enterprise-wide risk management, Diakon continues to build systems and processes throughout every level of the organization. The compliance program is coordinated by the Chief Compliance Officer (CCO). The CCO reports directly to the president/CEO, COO and board of directors, and the department functions independently of Diakon operations. The following seven elements form the core of Diakon's compliance program:

- Written standards of conduct
- Oversight
- Training
- Monitoring and auditing
- Performance improvement
- Reporting mechanisms
- Internal response and corrective action

COMPREHENSIVE GUIDANCE

Board members, officers, employees, contractors, subcontractors, vendors or other entities or individuals with whom Diakon has entered into a contract or other arrangement to conduct business on behalf of Diakon must review and observe Diakon's Code of Conduct to ensure that all actions are consistent with Diakon's values and principles. Anyone conducting business on behalf of Diakon must follow all relevant laws and regulations for all billing, coding and patient/resident care service requirements. We all help to promote Diakon's success by following the standards described in the Code.

QUESTION:

How do I use Diakon's Code of Conduct?

ANSWER:

Diakon's Code of Conduct points to the fact that we are a faith-based organization. While our ministry is diverse, our commitment to service unifies us. You should use the Code of Conduct as a leadership tool that helps you and your colleagues keep sight of this. Facts, circumstances and issues of the day are unique, however, acting with dignity, being honest and forthright in our communications, guiding each other in our efforts to be responsible stewards, and building each other up in order to support our important mission are all worthy goals that are consistent with Diakon's Code of Conduct.



HOW CAN I ACT WITH INTEGRITY IN THE DIAKON WORKPLACE?

QUALITY OF CARE AND SERVICES

Diakon strives to:

- Sustain the highest service quality
- Provide a respectful work environment
- Produce continuous financial transparency
- Accurately bill only for services that are delivered, documented and medically necessary
- Maintain appropriate confidentiality of sensitive and protected information
- Uphold the highest ethical standards

Dedication to quality is demonstrated in our goals to:

- Understand our customer's expectations
- Provide care and services in a timely and reasonable manner
- Be responsive to patient, resident and family concerns
- Maintain patients/residents' rights and dignity at all times while they are under our care

Patient/Resident Rights

Each client or resident is an individual entitled to dignity, consideration and respect. Client/resident abuse or neglect is not tolerated in any Diakon program or community. Diakon respects the rights of clients and residents and their families to participate in health-care decisions. Employees and contractors are expected to adhere to practices that promote these measures. Acting with integrity within the workplace

QUESTION:

What should I do if I feel that the practices in my facility/department are in violation of the Code of Conduct?

ANSWER:

You should raise this concern with your manager or supervisor. If you are uncomfortable doing so or the situation involves your manager or supervisor, you may proceed to the next level of management or use one of the other reporting mechanisms discussed in the Code of Conduct, such as the Compliance Hotline 1-855-561-7821. Additionally, each member of Diakon's Management Team has adopted an "open-door" philosophy and is always available to hear your concerns.

means ensuring that your actions are consistent with Diakon's commitment to excellence in all of these areas. Residents and clients must be informed of their rights, as required by law. This information includes the right to participate in decisions on whether to consent to or refuse treatment. In certain instances, a client's or resident's decision regarding care may conflict with Diakon's policies.

These kinds of ethical issues should be reviewed under Diakon's policies and procedures and applicable state and federal laws. Diakon also has an ethics committee that meets regularly to review ethics policies and any changes. We are committed to providing information that will promote knowledgeable decision-making. When clients and residents are in our facilities, we promote ethical, innovative, professional and compassionate care in an environment that addresses physical, social, emotional and spiritual needs.

DISCRIMINATION- AND HARASSMENT-FREE WORKPLACE

Diakon prohibits discrimination and all forms of harassment because of a person's race, color, religious creed, age, national origin, ancestry, sexual orientation, disability, veteran status, pregnancy, marital status, gender, gender identity, gender expression, genetic information or any other status or condition protected by state or federal law.

All board members, officers, employees and contractors share in the responsibility to prevent discrimination and harassment and should report any witnessed instances of this conduct.

To deliver on Diakon's commitment to quality, we should:

1. work toward the highest degree of performance;
2. behave professionally at all times; and
3. promote high standards and integrity.

This effort includes using respectful communication and behaving properly at all times.

INTERNAL REPORTING AND HOTLINE INTEGRITY

Diakon provides mechanisms for internal reporting via the "open-door philosophy" and the Compliance Hotline. We are each responsible for reporting, in good faith, possible instances of wrongdoing and/or non-compliance with regulations or policies. All reported concerns are taken seriously and the process of investigating all matters will be

QUESTION:

What should I do if I experience or witness discrimination or harassment in the workplace?

ANSWER:

You are encouraged and expected to report such occurrences through one of the methods Diakon has provided to you. You may, as you find appropriate, report incidents to:

- your supervisor or manager
- a department director or vice president
- Local HR office or HR Central office at 1-888-558-2559
- Compliance Hotline at 1-855-561-7821

If you feel the matter has not been taken seriously, you are encouraged to continue pursuing the matter through the next level of management. For more information regarding this topic, please refer to the Diakon Human Resources Workplace Policies.

handled with professionalism and confidentiality. Investigations are to be conducted with the intended purpose of identifying any possible non-compliance with policies and procedures, rules or regulations, with goals of:

1. understanding the root cause;
2. developing and implementing plans to ensure there is no recurrence of the situation; and
3. improvements in processes are made.

FRAUD, WASTE AND ABUSE (MEDICAL)

- Fraud is a false statement made or submitted by an individual or entity who knows that the statement is false and knows that the false statement could result in some otherwise unauthorized benefit to the individual or entity. These false statements could be verbal or written.

- Waste generally means the overuse of services or other practices that result in unnecessary costs. In most cases, waste is not considered to be caused by reckless actions but rather by the misuse of resources.
- Abuse generally refers to provider, contractor or member practices that are inconsistent with sound business, financial or medical practices and that cause unnecessary costs to the health-care system.

FRAUD, WASTE AND ABUSE (FINANCIAL)

Diakon is committed to detecting and preventing fraud and financial abuse and regularly provides employees, agents and contractors with general and role-based compliance training on applicable false claims laws.

Federal False Claims Act (FCA), 31 U.S.C. Sections 3729-3733 and similar state laws prohibit intentional use of false or fraudulent claims, records or statements for the purpose of obtaining payment from the government. These laws apply to Medicare and Medicaid program reimbursement and prohibit, among other things, billing for services not rendered; falsifying cost reports; assigning improper codes to secure reimbursement; and participating in kickbacks. A violation of these laws may result in civil, criminal and administrative penalties.

Suspected false claims violations should be reported to Diakon management, Diakon’s Compliance Hotline (1-855-561-7821), or to the appropriate federal or state agency.

SAFEGUARDING OF RESOURCES

Health Insurance Portability and Accountability Act (HIPAA)

Diakon’s officers, employees and contractors are each responsible for maintaining the confidentiality of all patient, resident and employee Protected Health Information (PHI) — individually identifiable health information — that is transmitted or maintained in any form. Diakon takes measures to ensure the security of this information, including, but not limited to:

- Encryption of devices
- Password protection
- Limitations on accessibility to information
- Guidelines for maintaining and storing documents and electronic devices for home office and travel
- Restricting unauthorized software on Diakon devices

A breach or potential breach of any protected information must be immediately reported to Diakon management or Diakon’s Compliance Hotline (1-855-561-7821) so that all federal and state notification requirements may be carried out.

Failure to do so may subject Diakon to fines and penalties. Employees who fail to follow these guidelines will be subject to discipline consistent with our HR policies.

Personal Property

Any mishandling of patient or resident property must be promptly reported to supervisors. Employees entrusted with direct handling of patient or resident funds (e.g., resident trust funds) will be held accountable for the integrity and accuracy of those funds and records.

COMPANY PROTECTION

- **Document Management** – Diakon’s document management policy practices apply to all company documents and establish procedures for retaining, preserving and disposing of such materials in both paper and electronic form. This policy provides guidelines that will assist with regulatory compliance and pending legal activity as well as efficiency of daily operations.
- **Legal Holds** – Diakon will take steps to notify all relevant personnel of the requirement to suspend established procedures for the disposal of records, whether those records are electronic, paper or audio. Legal holds will be put in place by Diakon’s legal counsel when such records are subject to legal suits, government investigations, subpoenas and other official inquiries and investigations.
- **Proprietary Information** – Confidential information about Diakon’s business is a valuable asset and is intended for use only within Diakon. All information concerning Diakon’s finances, operations, products, policies, customers, development plans, computer programs and related information should be treated as proprietary and confidential. This information should not be released to

anyone outside Diakon, such as competitors, suppliers, outside contractors or business associates.

- **Property, Equipment and Supplies** – We should use Diakon resources for authorized business purposes only. Diakon’s assets, property, facilities, equipment and supplies should be protected against loss, theft, damage and misuse.
- **Personnel Files** – Diakon personnel files also are confidential. Only individuals authorized according to Diakon policy and state and federal law will have access to employee records.

CONTRACTORS AND VENDORS

Any independent contractor, subcontractor or vendor conducting business on behalf of Diakon must adhere to all applicable laws and regulations. Entities are encouraged to have their own compliance program and also are expected to comply with the standards of Diakon’s Code of Conduct. Contractors and vendors providing services on Diakon’s behalf must show proof of licensure, certification or other evidence of provider competency. Before providing services on Diakon’s behalf, contractors and vendors must clear appropriate background checks via our sanction check process.



HOW CAN I ACT WITH INTEGRITY IN INTERACTIONS OUTSIDE OF THE DIAKON WORKPLACE?

Building trusted relationships with external entities with which we do business and others in the communities we serve is an important part of Diakon’s business. As representatives of a sizable social ministry organization, we have a duty to demonstrate professionalism and integrity in every setting. With respect to all Diakon matters, we also accept responsibility to adhere to our values and goals amid changing technological environments and within personal interactions, even while outside Diakon facilities and offices.

GIFTS, GRATUITIES AND BUSINESS COURTESIES

Diakon prohibits its employees from accepting any gift, gratuity or business courtesy from its vendors, contractors, residents, residents’ families or potential business affiliates. Likewise, Diakon prohibits the giving to persons or businesses in a position to influence the referral of business, including patients, residents and other Diakon

residents and clients. Further, no employee of Diakon may solicit or obtain any improper personal benefit by virtue of his or her work or employment with the company. Exceptions may apply under specific laws. If you have questions, please contact the Compliance Office.

KICKBACKS, REFERRALS AND BRIBES

The Anti-Kickback law makes it a crime to knowingly and willfully offer, pay, solicit or receive something of value to induce or reward referrals of business under federal health-care programs. In accordance with this statute, Diakon does not accept or offer to provide anything of value in exchange for the direct or indirect referral of patients, residents or business; or in return for buying services or supplies. Some examples of kickbacks, referrals and bribes may include, but are not limited to:

- Making payments to or from referral sources that exceed fair market value

- Providing or accepting free or discounted goods or services among referral sources
- Establishing payment arrangements with vendors, suppliers or referral sources where reimbursement is based on the amount of volume of business rather than the value of the services provided

To ensure compliance with these laws, Diakon requires that all agreements with referral sources and purchasers of Diakon's services in cases where Diakon is the referral source be put in writing.

CONFLICTS OF INTEREST

Diakon's employees, officers and board members should not engage in any activities that conflict with the interests of Diakon. It is impossible to describe all of the situations that may arise, but examples include:

- A Diakon employee or an immediate family member has a material financial interest in a firm that does business with Diakon or is a competitor of the organization where the interest may affect the employee's decisions or actions.
- A Diakon employee or an immediate family member serves as a director, officer, employee, consultant or agent of an organization that is a competitor of, or does business with, Diakon.
- A Diakon employee or an immediate family member uses confidential information about Diakon for personal gain or the benefit of others.
- A Diakon employee or an immediate family member appropriates for personal use the benefit of any Diakon business venture, which the employee learns about while working at Diakon.

- A Diakon employee accepts gifts from any person or firm doing or seeking to do business with Diakon.

Diakon's employees, officers and board members have a responsibility to put the interests of Diakon and our patients and residents ahead of personal business interests. Potential conflicts of interest should be disclosed to supervisors upon hire or as they occur. Potential conflicts of interest need to be communicated to and evaluated by an employee's supervisor, Diakon's board of directors or an appropriate committee of the board of directors.

GIFTS TO PUBLIC OFFICIALS

Federal laws and the laws of most states prohibit giving anything of value to government officials with the intent to influence the decisions of government. In accordance with these laws, Diakon's policy is that nothing of value may be given to federal or state government officials. Officers, employees and contractors acting on behalf of Diakon are prohibited from providing gifts or reimbursement of travel expenses to a member or staff of Congress unless otherwise noted under an exception within the rules of the House and Senate. These restrictions apply to gifts of even minimal value and also extend to family members of such individuals.

Likewise, there are federal and state laws that define the circumstances in which a corporation can contribute to political campaigns. Diakon's policy is that the organization will not contribute anything of value to the political campaign of any person running for office unless specifically permitted by law.

QUESTION:

What should I do if I am unsure of whether an agreement with a contractor is appropriate or legal?

ANSWER:

You should not enter into the agreement or contract until verification of its legality and adherence to Diakon standards is obtained.

QUESTION:

A vendor that I do business with offered me tickets to a professional football game. I don't plan on using them but wanted to give them to my brother. Is this okay?

ANSWER:

Only if the gift does not exceed nominal value. Although Diakon encourages establishing positive relationships with our business associates, accepting a gift in excess of nominal value, even if we don't plan to use it ourselves, is strictly prohibited. The acceptance of such a gift, whether intended to do so or not, may create the appearance that Diakon will be unfairly influenced to do business or continue to do business with that particular vendor. You should thank the vendor and politely decline the offer. Offers of gifts that may exceed nominal value must be disclosed to Diakon's Compliance Officer so that a conflict of interest assessment can be performed.

SOCIAL MEDIA

The Internet provides a vast array of opportunities to participate in interactive discussions and share information using a variety of forums such as blogs or chat rooms, Facebook, Twitter, Instagram, Snapchat and LinkedIn (“social media”).

Diakon recognizes that information, comments and opinions placed on social media and blogs can shape the public’s views on our delivery of care and treatment of patients, residents, our employees and contractors.

Diakon is committed to ensuring such communications serves the needs of our business by maintaining Diakon’s identity, integrity and reputation in a manner consistent with our values and policies. Staff are prohibited from posting

any client or resident information, including photos, on any social media site. It is our policy to avoid “friending” or participating in comments with clients and residents and/or with their families on social media.

Employees’ use of social media can pose risks to Diakon’s confidential and proprietary business information and can jeopardize Diakon’s compliance with business rules and laws. To minimize these business and legal risks, to avoid loss of productivity and distraction from employees’ job performance and to ensure that Diakon’s information technology systems are used only for business purposes, we have established rules and guidelines for online communications.



WHAT SHOULD I DO IF I HAVE A QUESTION OR CONCERN?

Each employee’s willingness to report concerns is an important part of the effectiveness of Diakon’s compliance program. We are each responsible for reporting suspected violations of the Code and program standards. It is not acceptable to overlook actual or potential wrongdoing and all integrity concerns should be pursued until addressed appropriately.

OPEN DOOR PHILOSOPHY

Diakon’s open-door philosophy is practiced by all Diakon Management Team members. This philosophy encourages employees to contact their immediate supervisor and, if necessary, proceed up the chain of command to resolve problems and concerns.

COMPLIANCE HOTLINE

If use of the open-door philosophy is inappropriate or ineffective or if an individual seeks anonymity in reporting

a concern, Diakon has a Compliance Hotline that may be used (1-855-561-7821). The Compliance Hotline is available 24 hours a day, seven days a week, for individuals to report any compliance-related concern. An external party operates the Hotline and callers are reminded that they are not required to identify themselves. Diakon will make every attempt to protect callers’ anonymity within the limits of the law. All concerns reported to the Hotline are taken seriously and will be addressed to the fullest extent necessary. Therefore, it is important to use the Hotline appropriately. Individuals who intentionally misuse the Compliance Hotline may be subject to disciplinary action.

EXTERNAL REPORTING

In addition to use of the internal reporting mechanisms made available by Diakon, any individual who has concerns about the safety or quality of care

QUESTION:

A representative from a clinical education firm that just provided some on-site clinical education to myself and to three of my Diakon co-workers offered us tickets to a minor league baseball game. The face value of each ticket is nominal (under twenty dollars). Since neither I nor my co-workers has the authority to make decisions on further engaging this company can we accept the tickets?

ANSWER:

No. Even though you are not in a position to decide whether or not to give this company additional business we do not want there to be a perception that you can “buy” Diakon’s business. Business decisions will be merit based and we want to avoid situations where there is an actual or perceived conflict of interest. Additionally, if this offer was made by a resident or a resident’s family you should thank them for their gracious offer and politely decline.

QUESTION:

A resident’s family arrives for a visit at 6 p.m. and brought two large pizzas for the staff — what should I do?

ANSWER:

This type of gesture does not single out an individual or group of staff members and is not likely to be perceived as something that may lead to preferential treatment of the resident. As such, this would be permitted. However, if the family wanted to give the entire staff a gift certificate to dine at a restaurant, acceptance of such may be perceived by other residents or their families negatively and should be declined.

provided may report these concerns to an appropriate federal or state agency.

QUESTION:

What can I expect to happen or see as an outcome after sending a complaint to Diakon's Compliance Hotline?

ANSWER:

When appropriate, you may be contacted by the investigator or designee either during or at the conclusion of the investigation to discuss the outcome. If you choose to retain your reference number and check the status of the report via the Hotline, you will be told if the report is currently open or closed. Investigative findings will not be provided via the Hotline. In order to protect the rights of involved parties, you will not be told if any disciplinary action resulted from the call. However, if found to be necessary, you may witness changes, corrections, or education taking place within the facility or program as a result of a reported issue.

ELDER JUSTICE ACT ABUSE REPORTING REQUIREMENTS

Pursuant to the Elder Justice Act (EJA), the manager, agent or contractor (covered individual) of a long-term care facility that receives at least \$10,000 in federal funds annually must report any reasonable suspicion of a crime committed against any individual who is a resident of, or is receiving care from, the facility. Each covered individual shall report the suspected crime to one or more local law enforcement agencies and to the Secretary of the Department of Health and Human Services or to the agency designated by the secretary to receive such reports.

The report must be made within two hours of forming a reasonable suspicion that a crime has occurred

if there is a serious bodily injury and within 24 hours of forming a reasonable suspicion that a crime has occurred if there is no serious bodily injury. Covered individuals who fail to report shall be subject to a civil money penalty of up to \$200,000 and may be excluded from participation in any federal health care program. If a covered individual's failure to report a crime results in further injury to the victim of the crime or results in harm to another individual, the civil monetary penalty may be increased to \$300,000.

A long-term care facility may not retaliate against, discharge, demote, suspend, threaten, harass or deny a promotion to or take any other employment-related benefit away from any employee, or in any other manner discriminate against an employee in the terms and conditions of employment-or file a complaint or report against a nurse or employee-for making a report as required by the EJA. An employee has the right to file a complaint with the HHS secretary or the agency designated by the secretary, against a long-term care facility that violates the reporting requirements of the EJA. A long-term care facility that violates the anti-retaliation provisions of the EJA shall be subject to a civil monetary penalty of up to \$200,000 and may be excluded from participation in any Federal health-care program for a period of two years.

Upon reasonable suspicion that a crime was committed, your supervisor and Diakon's Chief Compliance Officer should be contacted immediately. Consistent with Diakon's internal investigation policy, the compliance officer or their designee will conduct and oversee the internal investigation and communication with law enforcement.

NO RETALIATION

Diakon employees and others who report a possible violation of this Code through an internal process, or to an appropriate federal or state agency, must not be subjected to retaliation, retribution or harassment by Diakon or any of its employees. Any supervisor, manager or employee who conducts or condones retribution, retaliation or harassment in any way will be subject to disciplinary action up to and including termination of employment.

Question:

What if I am not comfortable talking to my supervisor?

Answer:

We are each responsible for reporting concerns of actual or potential wrongdoing. Some areas of violation, including but not limited to abuse and fraudulent activity, require reporting and failing to do so is unacceptable. Employees are encouraged to discuss concerns with their immediate supervisor; however, a variety of reporting mechanisms is provided so that you may make the most appropriate choice based on the specific situation.

Diakon's open-door philosophy encourages colleagues to access any Management Team colleagues. Diakon also has an anonymous Compliance Hotline that may be used (1-855-561-7821) at any time.

Question:

What should I do if I feel retaliated against?

Answer:

Diakon will not tolerate retaliation in any form. If you experience retaliation, you should report it immediately to a supervisor or to the Compliance Hotline (1-855-561-7821) so that it may be investigated and addressed.



WHAT TOOLS ARE AVAILABLE TO HELP GUIDE ME WITH INTEGRITY ON BEHALF OF DIAKON?

Diakon is federally reimbursed for services rendered and, as such, is subject to a variety of regulations and requirements imposed by federal and state legislation designed to assist in combating fraud and abuse and recovering losses resulting from fraudulent activity. Diakon is committed to complying with all health, safety, environmental and employment laws. Company policies and procedures are written and upheld in accordance with these laws. Diakon continually provides a comprehensive collection of resources for all employees.

REGULATIONS AND REQUIREMENTS

The Federal False Claims Act, 31 USC §§ 3729-3733 and similar state laws. (Please see Page 5)

HEALTH, SAFETY AND ENVIRONMENTAL LAWS

- Regulate the handling and disposal of infectious materials, such as syringes.
- Direct the use of medical equipment and related reporting requirements.
- Guide the use of protective equipment to prevent the spread of infectious diseases.
- Regulate the storage, security, handling and disposal of hazardous materials.

WORKPLACE CONDUCT, EQUAL EMPLOYMENT OPPORTUNITY AND DISCRIMINATION

Diakon:

- Operates as an equal opportunity/affirmative action employer.
- Administers policies without regard to race, color, religious creed, age, national origin, ancestry, sexual orientation, disability, veteran status, pregnancy, marital status, gender, gender identity, gender expression, genetic information or any other status or condition protected by state or federal law.
- Prohibits discrimination and harassment.

ANTITRUST LAWS AND ANTI-KICKBACK STATUTE

Diakon's policy is to comply with the letter and spirit of the antitrust laws of the United States. These laws are designed to foster free and open competition in the marketplace. Diakon employees should not participate in any discussion, understanding, agreement, plan or scheme—formal or informal—with any competitor or potential competitor that restricts competition. Examples of activities that could violate the antitrust laws include making arrangements or having discussions with competitors about prices, price levels, and market territories or refusing to deal with certain customers to other competitors.

QUESTION:

How can I be sure I am following the most current policies and procedures?

ANSWER:

All of Diakon's current policies are posted on the Diakon Portal. Enterprise-wide and division specific policies and procedures may be found under the appropriate heading. All compliance policies and procedures may be found on the risk management and compliance office section of the Diakon Portal.

QUESTION:

How can I learn about what training is required of me?

ANSWER:

Diakon monitors training requirements within the Learning Management System (Relias). The LMS is available to all employees, who may log in to view their own required training, training in progress, completed training, a training catalog and training history.

- Foster free and open competition in the marketplace.
- Prohibit any discussion, understanding, agreement, plan or scheme with any competitor or potential competitor, which restricts competition.
- Ensure that referrals for health-care services are based on medical need and not on financial or other types of incentives to individuals or groups.

CODE OF CONDUCT

We believe that all people are unique gifts of God to be valued.

This means that:

- We will support Diakon's mission to demonstrate God's command to love the neighbor through acts of service.
- We will honor the dignity of fellow employees, clients, residents, vendors, volunteers, directors, personnel from governmental and accrediting bodies and all others with whom we come in contact on behalf of Diakon.
- We will be honest and forthright in all our communication and will use our words to "build up," rather than "tear down," individuals and the organization.
- We will be fair and consistent in all of our interactions with people and will not discriminate in our services, programs, admission, or employment on the basis of race, color, religion, disability, ancestry, national origin, sexual orientation, age, marital status or gender, nor will we tolerate discriminatory behavior by anyone in our organization.
- We will be respectful and will not harass or otherwise attempt to intimidate or demean any person or groups of persons, nor will we tolerate harassing behavior by anyone in our organization.
- We will maintain the confidentiality, privacy and security of all information with which we are entrusted about residents, clients and their families and about Diakon's employees and business and will strive to ensure that no information is ever shared in an unauthorized manner.

We believe that we are responsible to God, the church and society for the use of all our precious resources.

This means that:

- We are committed to helping Diakon be a good corporate citizen and a model for other organizations.
- We will fully comply with all applicable federal, state and local laws and regulations.
- We will report suspected non-compliance to our Compliance Office and cooperate with internal and external audits and investigations.
- We will not tolerate retaliation against any employee who reports suspected noncompliance.
- We will create and maintain accurate and complete business records and follow generally accepted accounting principles.
- We will create and maintain accurate and complete clinical records, in order to provide quality care for our residents and clients and to meet the documentation standards required by reimbursement regulations.
- We will use Diakon's assets faithfully for our mission.
- We will be good stewards of our compensated time and will not misuse or misappropriate any of Diakon's property, supplies, including computers, software,

networks and access to the Internet, nor will we violate applicable copyright laws or licensing agreements.

- We will be good stewards of the environment, honoring the natural resources we have been given and handling our hazardous materials and waste with care.

We believe that all work that affirms God's creation has worth and dignity.

This means that:

- We will not compromise the worth and dignity of our work by engaging in any activity or conduct which conflicts, or appears to conflict, with the interests of Diakon, its residents or clients and we will disclose to Diakon any potential conflict of interest.
- We will not offer anything of value to any individual or entity, nor will we accept anything of value from any individual or entity, in return for referral of business that may be subject to payment by a federal or state reimbursement program.
- We will not accept money or gifts of more than nominal value from residents and clients or their families. Exceptions may be made for gifts donated for fair distribution among a continuing care retirement community's employees if no employee has solicited or encouraged such gift.
- We will not accept money or gifts of more than nominal value from vendors or any other individual or entity with whom we have a professional or business relationship, except that given through our agency's authorized fundraising efforts.
- We will not attempt to influence any government official, accrediting body, vendor, purchaser, resident or client by offering money, gifts or services.
- We will not use any of Diakon's resources to contribute to political campaigns, parties, organizations or candidates.

We believe that teamwork, continual learning and innovation enhance the quality of service.

This means that:

- We will provide quality care and service in a cost-effective manner.
- We will focus consistently on quality improvement and resident/client/family satisfaction.
- We will participate in continuing education so that we know what is required of us and how to carry out our responsibilities with integrity, excellence and diligence.
- We will be partners with one another in creating a safe workplace, complying with all safety programs, policies and procedures and assisting one another to do so.

Revised by the Diakon Board of Directors | January 20, 2023



COMPLIANCE PROGRAM AND CODE OF CONDUCT

EMPLOYEE CERTIFICATION

I have received training on Diakon Lutheran Social Ministries Corporate Compliance Program and Code of Conduct and understand the Program and Code as applicable to my conduct as an employee:

I agree to comply with the Corporate Compliance Program and Code of Conduct, including affirmative obligation to report any violations or suspected violations of the Program, Code or any applicable federal or state law; and I understand that if I have any questions or concerns about the Compliance Program or Code of Conduct, I should consult my supervisor or the Chief Compliance Officer; and

I understand that my failure to comply with Diakon's Corporate Compliance Program and Code of Conduct, including the reporting requirements, will subject me to disciplinary action pursuant to the employee disciplinary procedure.

I represent that I am in complete compliance with the Compliance Program and Code of Conduct in my conduct as an employee of Diakon, OR

I hereby disclose the following matter; event or transaction which is or may be a violation of the Compliance Program or Code of Conduct:

I agree to update this certification in writing if there are any changes in the information contained herein.

I represent and warrant that I am not now, and at no time have been, excluded or suspended from participation in any Federal health-care program, including Medicare and Medicaid, and agree to immediately notify my supervisor, the Compliance Officer or the Compliance Hotline of any threatened, proposed or actual exclusion or suspension of me from any Federal health-care program.

I also acknowledge that the Corporate Compliance Program and Code of Conduct do not represent any type of employment contract or agreement and that my employment is on an "at will" basis.

Signature: _____ Date: _____

Name Printed: _____ Position: _____

Diakon employee Diakon vendor Diakon volunteer/intern/Board Member