	Human Resource Policy Employee Relations & Workplace Expectations	No. HR.ERW.02¹
	Title: CONFLICTS OF INTEREST DISCLOSURE	Page: 1 of 5
		Effective Date: 09-27-11
		Retires Policy Dated: 07-01-11
		Previous Versions Dated: 07-11-06; 01-15-04; 01-01-93

I. SCOPE:

This policy applies to (1) Tenet Healthcare Corporation and its wholly-owned subsidiaries and affiliates (each, an “Affiliate”); (2) any other entity or organization in which Tenet Healthcare Corporation or an Affiliate owns a direct or indirect equity interest greater than 50%; and (3) any hospital or healthcare facility in which Tenet Healthcare Corporation or an Affiliate either manages or controls the day-to-day operations of the facility (each, a “Tenet Facility”) (collectively, “Tenet”). The requirements of this policy apply to every employee of Tenet, regardless of employment status (*e.g.*, full-time, part-time, or per diem), to relatives of employees as defined below, and to persons in the same household. It also applies to any physician (non-employee or employee of Tenet), or any person (for example, a consultant), who serves on an evaluation or selection committee which may make a decision resulting in a contractual relationship between Tenet and a Third Party.


II. PURPOSE:

The purposes of this policy are to provide Tenet employees with guidelines regarding conflicts of interest and their relation to the standards of ethical behavior required of all Tenet employees, as outlined in the [Standards of Conduct](#), requirements for disclosure of conflicts of interest and general direction on how to seek further clarification and advice on conflict of interest issues.

III. DEFINITIONS:

- A. **“Third Party”** means any individual or organization that currently or in the future conducts business transactions with Tenet, including entities in which an employee has a substantial interest (for publicly held corporations, substantial interest is defined as owning at least 1% of a class of the outstanding securities for that corporation; for non-publicly held entities, substantial interest will be examined on a case-by-case basis after the disclosure is made), is a director or officer of, or has any personal contract, agreement, understanding or employment of any kind with any physician, supplier, customer, or other individual or business concern that has a contractual arrangement with, does business with, seeks to do business with, or competes with Tenet Facilities/hospitals, or organizational entities.
- B. **“Conflict of Interest”** means an employee is in a position to influence a Tenet business decision that may result in a personal gain for that employee, a relative, or person living in the same household. Conflicts of interest can be actual or potential conflicts of interest. The perception/appearance of a conflict is considered a conflict of interest for purposes of this policy. No “presumption of guilt” is created by the mere existence of a relationship between a Tenet employee and a Third Party.

¹Prior to June 3, 2013, the policy number was HR-105.

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- C. “**Relative**” means, for the purposes of this policy, any person(s) who is related by blood or marriage, or whose relationship with the employee is similar to that of person(s) who are related by blood or marriage, as well as any other persons living in the same household.
- D. “**Employee**” means, for purposes of this policy only, any individual working full-time, part-time, or other status for Tenet, relatives of employees as defined above, any physician (non-employee or employee of Tenet), or any person (for example, a consultant) who serves on an evaluation or selection committee which may make a decision resulting in a contractual relationship between Tenet and a Third Party.
- E. “**Tenet Leader**” means an employee with supervisory responsibilities.

IV. POLICY:

Personal gain, or the potential for gain, may result not only in cases where an employee or relative has significant ownership in a firm with which Tenet does business, but also when an employee or relative receives any compensation, substantial gift, or special consideration as a result of any transactions or business activities involving the Tenet Facility/hospital, or organizational entity.


All employees shall conduct business transactions with Third Parties in a manner that avoids conflicts of interest and the potential for personal gain. Managers and those who work regularly with Third Parties on Tenet’s behalf shall annually report any actual or potential conflicts of interest by completing the [Conflict of Interest \(COI\) Disclosure form](#) found on eTenet. In addition, any time a potential conflict arises, employees shall **complete a [COI Disclosure form](#)** and seek guidance from the Ethics and Compliance Department before proceeding.

V. PROCEDURE:

- A. Activities Causing Conflicts of Interest

It is not possible to list all activities that could create conflicts of interest in the workplace. However, the following are examples of activities that could create a conflict of interest and are therefore prohibited:


- 1. Receiving or giving a personal benefit of more than a nominal value of \$50 from or to any Third Party doing or seeking to do business with Tenet. Questions regarding the gift limitations may be directed to the Tenet Facility’s Hospital Compliance Officer and/or the Ethics Action Line.

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2. Conducting business with a personal friend or relative on behalf of Tenet.
3. Speculating or dealing in material, equipment, supplies, products, land leases or other property purchased or sold by Tenet for which negotiations to purchase, acquire or sell are pending or anticipated.
4. Disclosing to anyone, including relatives as defined above, any information, plans, or forecasts relating to Tenet which have not been released publicly.
5. Trading in the securities of Tenet or any other company based on information obtained as a result of employment with Tenet, if the information is important enough to potentially affect a company's stock price but that is not yet public.
6. Except where prohibited by law, hiring or entering into contracting arrangements with a Relative where a person currently employed by Tenet will be working directly for, or supervising, a Relative, and/or occupying a position in the same line of authority as the Relative within the organization. (See [Human Resources Policy HR.EHP.08 Employment of Relatives.](#))
7. Participating in any other activity that is perceived by Tenet as being a conflict of interest.

B. Disclosure

1. If any employee has any business, financial, or other relationship with any Third Party whereby the existence of that relationship creates a conflict of interest, the employee must disclose this relationship by completing the [COI Disclosure form](#) on eTenet. The designated senior manager at the location where the employee is assigned (for Tenet hospitals, the hospital CEO) shall review the COI Disclosure form and provide comments and/or recommendations regarding the disclosure. The Ethics and Compliance Department shall then review the COI Disclosure form to determine if an actual conflict of interest exists.
2. Tenet Leaders, as well as employees authorized to conduct business transactions with Third Parties on behalf of Tenet, must disclose annually any business, financial, or other relationships outside of Tenet with Third Parties which currently or in the future may conduct business with Tenet. The annual disclosures will be submitted via the on-line [COI Disclosure](#)

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[form](#) during the time period specified by the Ethics and Compliance Department. Employees subject to this policy must complete a disclosure within thirty (30) days of employment.

3. Members of Tenet Healthcare Corporation’s Board of Directors shall complete a questionnaire each year describing any potential conflicts of interest.

C. Guidance

The Ethics and Compliance Department will:

1. provide day-to-day guidance for appropriate conduct under this policy.
2. review all COI Disclosure forms that identify a conflict or potential conflict of interest, coordinate them with the appropriate Tenet staff departments and other activities, make a final decision on the disclosures, and provide the senior manager of the organization originating the disclosure with a transmission of the decision.

The Ethics and Compliance Department will review forms submitted outside the annual review period and provide a decision within 30 days of submission.

D. Auditing and Monitoring


Audit Services shall include COI Disclosure form completion in its audit program.

E. Responsible Persons

Each Tenet Facility Human Resources Department is responsible for informing and educating all new employees about this policy. Tenet Leaders are responsible for assuring adherence to this policy and for assuring their employees complete the [COI Disclosure form](#) in a timely manner, both on an annual basis and as conflicts arise.

F. Enforcement

All employees whose responsibilities are affected by this policy are expected to be familiar with the basic procedures and responsibilities created by this policy. Failure to comply with this policy will be subject to appropriate performance management pursuant to all applicable policies and procedures, up to and including termination. Such performance management may also include

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modification of compensation, including any merit or discretionary compensation awards, as allowed by applicable law.

VI. REFERENCES:

- [Standards of Conduct](#)
- [Conflict Of Interest Disclosure Submission Application](#)
- [Human Resources policy HR.EHP.08 Employment of Relatives](#)