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## I. PROCEDURE

### A. RERC Membership and Review Processes


1. The Reportable Events Review Committee (RERC) shall be composed of the following members:

- a) Chief Compliance Officer
- b) General Counsel
- c) Deputy Chief Compliance Officer
- d) General Counsel, USPI
- e) Vice President, Audit Services
- f) Director, Referral Source Compliance Program
- g) Director, Compliance Investigations & Remediation
- h) Outside counsel designated by the Committee Chair
- i) Other members, as designated by the Committee Chair

2. Matters for review by the RERC may originate from a variety of sources, including, but not limited to, any of the following areas: Audit Services audits; compliance officer referral source audits; Ethics Action Line reports; exit interviews; compliance database; litigation matters; notices of government investigation; facility and business unit monthly compliance reports; attorney-directed investigations; eCATS database; matters referred to operations counsel; media stories.

3. Each member of the RERC shall be responsible for reviewing the potential input sources within his/her scope of authority and for bringing forth matters for review and consideration by the RERC that originate from his/her respective sources. At a minimum, members shall bring forth the following matters for review by the RERC:

- a) Identification of questionable compensation arrangements with referral sources
- b) Identification of payments made to referral sources without a written agreement in place
- c) Identification of payments made to referral sources that are not at fair market value
- d) Explicit or implicit allegations of express violation of the Anti-Kickback statute
- e) Explicit or implicit allegations or evidence of preferential treatment of or the provision of items or services of value to referral sources in order to induce or maintain referrals

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- f) Explicit or implicit allegations or evidence of the discussion of business that has previously been or is expected to be generated from a referral source in connection with the negotiation or execution of an agreement with such referral source
- g) Any notices of government investigation or correspondence with, or requests for information from, law enforcement agencies

4. The RERC shall evaluate each matter brought for review to determine whether the matter constitutes evidence or allegations of actual or potential violation of the Anti-Kickback statute. The RERC shall also provide coordination and recommendations concerning the assessment, investigation and remediation of matters presented for review.


5. The Tenet Chief Compliance Officer shall promptly report all matters determined by the RERC to constitute evidence or allegations of actual or potential violation of the Anti-Kickback statute to the U.S. Department of Justice (DOJ) pursuant to Paragraph 5(e) of Tenet’s Non-Prosecution Agreement. In addition, the Chief Compliance Officer shall promptly report correspondence with, or requests for information from, law enforcement agencies, even if the underlying issue is not subject to NPA 5(e) reporting requirement.

**B. Documentation and Reporting**

1. The RERC shall maintain a record of its proceedings, to include documentation concerning the matters brought forth for review and its source, the Committee’s determination as to whether the matter is reportable to the Department of Justice, and any recommendations made concerning the assessment, investigation and remediation of matters presented for review.
2. The Chief Compliance Officer shall provide regular reports on its activities and decisions to Tenet’s Co-Monitors.
3. The Chief Compliance Officer shall provide a report of its activities on a monthly basis to Tenet’s Chief Executive Officer, and on a quarterly basis to Tenet’s Enterprise Leadership Team Compliance Committee and to the Quality, Compliance and Ethics Committee of the Tenet Board of Directors.

**II. MONITORING**

A. On a quarterly basis, the Deputy Chief Compliance Officer or his/her designee shall conduct an audit of potential input sources to assess whether matters requiring RERC review and assessment have been escalated to the Committee. Such audit shall consist of the following:

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1. A review of all Compliance Matters entries opened during the quarter that are categorized in the “Stark and Anti-kickback” category and that were not referred to the RERC to assess for a potential need to refer to the RERC for review.
2. A review of a random sample of Compliance Matters opened during the quarter that are not categorized in the “Stark and Anti-kickback” category to assess that each was accurately opened in the appropriate category of matter.
3. A review of the quarterly litigation update provided by the Law Department
4. A review of the final reports from Audit Services of any Focus Arrangements audits for the previous quarter.

### **III. REFERENCES:**

- Stark Law, 42 U.S.C. § 1395nn, and implementing regulations
- Anti-Kickback Statute, 42 U.S.C. § 1320a-7b(b)
- Non-Prosecution Agreement
- Tenet Standards of Conduct
- Law Department Policy L-24