

DEPARTMENT: Ethics and Compliance	POLICY DESCRIPTION: Non-Retaliation Policy
PAGE: 1 of 3	REPLACES POLICY DATED:
EFFECTIVE DATE: January 1, 2022	REFERENCE NUMBER: EC.030
APPROVED BY: Ethics and Compliance Policy Committee	

SCOPE: This policy applies to HCA Healthcare, Inc. (the “**Company**”) and all of its Affiliates operating in the United States (“**Affiliates**”), except HealthTrust Performance Group.

PURPOSE: To establish guidance for reporting ethics or compliance concerns or other inappropriate behavior while providing protection against retaliation for reporting in good faith.

POLICY:

1. The Company is committed to maintaining compliance with all applicable laws, rules and regulations in order to prevent misconduct and correct inappropriate behavior wherever it may occur in our organization.
2. The Company promotes a culture where colleagues, in good faith, can: communicate appropriately about ethics or compliance concerns; report concerns or inappropriate behavior; participate in an investigation; refuse to participate in inappropriate or wrongful activity; and exercise their rights protected by law (“**Protected Activity**”) without fear of retaliation.
3. Colleagues have an individual responsibility to report any activity by another colleague, physician, practitioner, contract staff, student, volunteer, vendor or any other person doing business with or for our organization, that appears to violate applicable laws, rules, regulations, accreditation standards, the Company’s Code of Conduct or policies.
4. **This policy expressly prohibits any form of retaliation against a colleague for engaging in Protected Activity.**
5. Colleagues who knowingly make a false allegation, provide false or misleading information in the course of any investigation, or otherwise act in bad faith may be subject to discipline, up to and including termination.

PROCEDURE:

A. Reporting a Concern

1. Any colleague, who in good faith, reasonably suspects a violation of applicable laws, rules, regulations, accreditation standards, the Company’s Code of Conduct or policies, or any other inappropriate behavior should immediately report such incidents to one of the resources below:
 - a. Immediate Supervisor;
 - b. Human Resources Business Partner;
 - c. Ethics and Compliance Officer (“**ECO**”);
 - d. Any member of management at the facility, business unit or the Company; or
 - e. HCA Healthcare Ethics Line at (800) 455-1996 or <http://hcahealthcareethicsline.ethix360.com>
2. Colleagues may report a concern or inappropriate behavior anonymously.

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3. All reported concerns or inappropriate behavior will be promptly investigated and handled confidentially, to the extent possible.

B. Non-Retaliation Against Protected Activity

1. Any form of retaliation against a colleague for engaging in Protected Activity is strictly prohibited, even if the reported concern or inappropriate behavior is not substantiated following an investigation.
2. Any adverse action or behavior that is intended to intimidate, threaten, coerce, or discriminate against a colleague for engaging in Protected Activity may be considered retaliatory in nature. Examples of adverse action or behavior that may be considered retaliatory include, but are not limited to:
 - a. Demoting the colleague;
 - b. Suspending the colleague;
 - c. Terminating the colleague;
 - d. Ostracizing or harassing the colleague or encouraging others to engage in such behavior against the employee;
 - e. Unjustifiably failing to hire, promote or consider for hire or promotion;
 - f. Failing to give equal consideration in making employment decisions or to make impartial employment recommendations;
 - g. Adversely impacting working conditions or otherwise denying any employment benefit to which the colleague is otherwise entitled; and/or
 - h. Attempting to identify the colleague who reported a concern or inappropriate behavior or participated in an investigation.

C. Disciplinary Action

1. Colleagues who engage in any form of retaliation in violation of this policy will be subject to appropriate discipline, up to and including termination.
2. Colleagues who knowingly make a false allegation, provide false or misleading information in the course of an investigation, or otherwise act in bad faith may be subject to appropriate discipline, up to and including termination.
3. This policy does not exempt any colleague from discipline for their misconduct or inadequate performance. The Company may address misconduct and performance related issues after a colleague has engaged in Protected Activity, provided such Protected Activity is not the reason for the performance review or disciplinary action.
4. Any violation of this policy by a member of the medical staff or another practitioner with clinical privileges will be handled in accordance with the applicable Medical Staff Policies and Bylaws.

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DEFINITIONS:

Affiliate means any person or entity Controlling, Controlled by or under common Control with another person or entity.

Protected Activity means communicating appropriately, in good faith, about ethics or compliance concerns, reporting concerns or inappropriate behavior, participating in an investigation, refusing to participate in inappropriate or wrongful activity and exercising rights protected by law.

REFERENCES:

1. HCA Healthcare [Code of Conduct](#)
2. False Claims Act, 31 U.S.C. § 3729
3. HCA Healthcare state-specific [False Claim Act policies](#)
4. Research Misconduct in PHS Grants Policy, [COG.FED.002](#)
5. Equal Employment Opportunity, Anti-Harassment, and Respectful Workplace Policy, [HR.ER.072](#)
6. Title IX Sexual Misconduct Policy, [HR.ER.071](#)
7. Theft and Violence in the Workplace Policy, [IP.PS.002](#)