

## WHEN THE GOVERNMENT IS OUR CLIENT

In the course of your employment you may directly or indirectly perform services or work related to one or more government contracts. When the government is our client, there are additional requirements that we must adhere to. When we act as a government contractor or subcontractor, we have a special obligation not only to the government and the beneficiaries of those governmental programs but also to the public at large to ensure that we perform with the highest degree of integrity. Specifically, it is your responsibility to know the terms of the government contract(s) that you are performing services for or are working on and all of the policies and procedures related to those contracts. You may also be required to sign certifications, either internal or to the government, regarding the accuracy of information or the Company's performance under the contracts. If you have any doubt regarding any aspect of the Company's performance under any government contract, it is your duty to come forward immediately.

The unique nature of doing business with the government implicates particular statutes and regulations that do not normally apply to commercial transactions. There are also a number of laws that apply to governmental agencies and who they do business with so that the legal obligations of these agencies "flow down" to the Company as a contractor or subcontractor. Below is a brief general summary of what we must do and what we must not do under some of these statutes and flow down provisions.

### *When Bidding on a Government Contract*

#### **We Must**

- Submit pricing data that contains all the facts that a prudent buyer and seller would reasonably expect to affect price

*Truth In Negotiations Act*

#### **We Must Not**

- Offer or give gifts to any procurement official or make offers or promises of future employment to government employees that are involved in the bid

*Federal Procurement Integrity Act*

- Obtain non-public bid or proposal information such as cost or price data, proprietary information about techniques or indirect costs, etc., or agency source information prior to the award of the contract

*Federal Procurement Integrity Act*

- See also "kickbacks" below

## *In Performance of our Government Contracts*

### **We Must**

- Obtain the necessary written approvals prior to information being used for any purpose other than as allowed under our government contracts and provide assurances that personal information about individuals collected and disclosed is limited to that which is legally authorized and necessary  
*The Privacy Act of 1974*
- Protect the confidentiality and not disclose beneficiary records regarding any assistance that such beneficiary may have received from the government related to the treatment, diagnosis, or prognosis of substance abuse  
*The Alcohol, Drug Abuse & Mental Health Admin. Reorganization Act*
- Honor appropriate requests from the public for government records that we create and maintain  
*Freedom of Information Act & Electronic Freedom of information Act Amendments of 1996*
- Provide required evaluations and reports regarding our internal accounting and administrative controls including compliance with the law, reasonable assurance and safeguards, etc.  
*Federal Managers Financial Integrity Act of 1982*

### **We Must Not**

- Offer or accept any form of kickback, i.e., money, fee, commission, credit, gift, gratuity, thing of value or compensation for the purpose of improperly obtaining or rewarding favorable treatment including obtaining unwarranted waivers of deadlines and acceptance of non-conforming goods in connection with a prime contract or subcontract.  
*Anti-Kickback Act*
- With actual knowledge of falsity, reckless disregard for the truth or falsity, or deliberate ignorance of the truth or falsity, submit false or fraudulent claims for payment  
*False Claims Act*
- Make false statements or representations  
*False Statements Accountability Act*
- Hire or do business with individuals or entities that have been debarred or excluded from participation in federal health care programs  
*Social Security Act, HIPAA & Balanced Budget Act of 1997*

## *In Regards to Our Workplace*

### **We Must**

- Maintain a drug-free workplace by prohibiting the manufacture, distribution, dispensation, possession or use of narcotics, drugs or other controlled substances in the workplace or while conducting Company business  
*Drug-Free Workplace Act of 1988*
- Take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex or national origin and identify and eliminate impediments to equal employment opportunities  
*Executive Order 11246  
41 CFR Part 60-2  
Federal Acquisition Regulations  
Subpart 22.8*
- Take affirmative action to ensure that veterans and disabled veterans are provided equal employment opportunities  
*Affirmative Action for Disabled Veterans and Veterans of the Vietnam Era*

### **We Must Not**

- Discriminate against individuals in the terms and conditions of employment based on race, color, religion, sex, national origin or age  
*Civil Rights Act of 1964 (Title VII)  
Age Discrimination Act of 1975*
- Discriminate against individuals in the terms and conditions of employment based on disability or perceived disability  
*Americans with Disability Act and Rehabilitation Act of 1973*
- Offer to hire, hire or otherwise do business with certain current or former governmental employees

Failure of comply with these laws, the terms of our government contracts and Company policies and procedures can:

- Jeopardize the Company's ability to participate in any government programs;
- Result in the loss of a particular government contract;

- Require the Company to refer your actions to the appropriate law enforcement authorities, a governmental agency or others, which could lead to criminal or civil prosecution of both you and the Company; and/or
- Subject you to the full range of disciplinary actions, up to and including termination.

If an issue should arise or if you have any doubts or questions regarding government contracts you should contact your Supervisor, a higher level Supervisor, any of the Corporate Resources or call the Corporate Integrity Hotline (1-800-838-2552).