



VISIONQWEST Healthcare GROUP

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SUBJECT: ANTITRUST POLICY
POLICY NUMBER: VQ-SL-1006
LINE OF BUSINESS: GLOBAL POLICY (ALL BUSINESS LINES)
EFFECTIVE DATE: 11/21/11
REVISED DATE: 11/21/11
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1. **REGULATORY REFERENCES:**

- 1.1 CoP: N/A
- 1.2 ACHC: N/A

2. **PURPOSE:**

- 2.1 Federal and state antitrust laws promote and safeguard the free enterprise system by ensuring competition at all levels of trade. Any activity or conduct reducing or eliminating competition may be considered an antitrust violation, and could subject both the Company and the individuals who authorize or participate in the prohibited conduct to substantial civil and criminal liability and penalties.

3. **POLICY:**

- 3.1 The U.S. Department of Justice and the Federal Trade Commission have issued guidelines regarding various activities that may be considered an antitrust violation.
- 3.2 The Company will not enter into agreements to fix prices or rig bids, will not share price or billing information with competitors, will not enter into boycotts or exclusive dealing and price discrimination agreements, and will not engage in unfair trade practices.
- 3.3 Company employees, agents and independent contractors may not attend meetings or participate in discussions, agreements or understandings with competitors relating to the prices or terms offered, or to be offered, to customers. Any Company employee, agent or independent contractor who is approached to participate in such discussions, agreements or understandings must immediately contact the Chief Compliance Officer (directly or through the Compliance Hotline at 1-818-547-0497 Ext 2 or the Legal Department).
- 3.4 Mutual understandings with competitors, whether formal or informal, oral or written, express or implied, that relate directly or indirectly to the price or terms and conditions of a current or future sale or transaction are illegal and, therefore, prohibited. Prohibited activities include attempts to increase, decrease, maintain, or stabilize prices, or to standardize terms to achieve the same result. No specific prices need be set for a violation to occur. For purposes of the antitrust law, price includes anything that

affects the cost to the provider or the value received by the customer. An expectation that a common course of action will be adopted by the competitors involved is considered a violation; an actual agreement is not necessary.

- 3.5 The Company does not permit employees, agents or independent contractors to attend meetings or participate in discussions, agreements or understandings with competitors relating to the allocation or division of customers, territories or markets, or the availability of products or services.

Any Company employee, agent or independent contractor who is approached to participate in such discussions, agreements or understandings must immediately contact the Chief Compliance Officer (directly or through the Compliance Hotline at 1-818-547-0497 Ext 2 or the Legal Department).

- 3.6 Company employees, agents and independent contractors may not attend meetings or participate in discussions, agreements or understandings with competitors relating to a boycott or refusal to deal with third parties.

Any Company employee, agent or independent contractor who is approached to participate in such discussions, agreements or understandings must immediately contact the Chief Compliance Officer (directly or through the Compliance Hotline at 1-818-547-0497 Ext 2 or the Legal Department).

- 3.7 The Company will not agree with any competitors to exclude existing or potential patients, suppliers or competitors from business deals.

4. **PROCEDURE:**

- 4.1 When a Company employee, independent contractor or agent suspects a potential antitrust violation, or is aware of an actual antitrust violation, the employee, independent contractor or agent must inform the Chief Compliance Officer (directly or through the Compliance Hotline at 1-818-547-0497 Ext 2 or the Legal Department).

- 4.2 The Chief Compliance Officer shall investigate any and all reported violations in a timely manner and take any appropriate actions to prevent reoccurrence of such violations. Appropriate actions may include, but are not limited to, revision of processes, systems, policies, disciplinary action, etc.

5. **ADDITIONAL DOCUMENTATION:**

- 5.1 State Specific Guidelines
5.2 Policy and Procedure Cross-Walk