



## Vendor Code of Conduct

### **Message To Our Vendors:**

tango is committed to the highest standards of compliance, ethics and integrity in everything we do. To ensure that we and our business partners conduct business responsibly and ethically, we have developed the Vendor Code of Conduct.

The tango Vendor Code of Conduct reflects the standards of conduct required of providers, subcontractors, partners, vendors, and consultants working with tango.

### **Key Expectations:**

#### **1. Compliance with Policies, Regulations and Laws –**

- Vendor will comply with all applicable laws and regulations, including any local laws or regulations outside of the United States where vendor may conduct business.
- Any subcontractors, subdelegates and vendors of tango will comply with tango and respective health plan customer's contractual obligations to CMS and all applicable Medicare laws, regulations and CMS instructions.
- Included but not limited are those laws related to OSHA, discrimination, wages, hours, working environment, safety, health, human rights, forced labor, child labor, trafficking, harassment, abuse and hostile work environment.
- We also support the Ten Principles of the UN Global Compact on human rights, labor, environment, and anti-corruption, as well as the UN Sustainable Development Goals.
- Our vendors must comply with applicable environmental law and regulations. tango expects vendors to develop safe products and services, environmentally sound and price competitive to help achieve environmental and purchasing objectives.
- Vendors should look to protect and conserve natural resources, minimize environmental hazards and manage the use of energy and resources in a responsible manner for the communities served.

#### **2. Privacy, Confidentiality and Security –**

- Federal and State laws require tango and our vendors to maintain the privacy, confidentiality and security of tango and tango customers/members protected health information and personally identifiable information.



- Information security vendors or business associates have a responsibility to manage risk and implement reasonable and appropriate security measures. Cybersecurity threat is a critical consideration, and we expect our vendors are continuously monitoring and analyzing cyber threats and vulnerabilities, monitoring for any impacts, educating staff regarding security controls and timely notification, and implementing administrative technical and physical controls.
- If your vendor relationship with tango requires access to PHI/PII, you will be required to sign a business associate agreement (BAA). Our vendors should be committed to the protection of third-party information and should use the same standards to collect, use, and safeguard member information.
- Vendors must also take steps to prevent accidentally disclosing and/or compromising member data and information. If such incident or disclosure occurs, you must contact tango immediately at [compliance@tangocare.com](mailto:compliance@tangocare.com)
- If a security incident does occur, we expect the vendor or business associate to cooperate with tango in any investigation, notifications, mitigation, and corrective action, and any other applicable requirements contained within the BAA.
- Vendors are responsible for protecting proprietary and confidential information, even after the work is complete or the vendor relationship has ended.

### 3. **Fraud, Waste, and Abuse (FWA) / False Claims Act (FCA):**

- tango is committed to preventing fraud, waste and abuse (FWA) and will promptly investigate reports of alleged FWA. There are numerous Federal and State laws regulating practices within the healthcare industry. These laws are meant to prevent fraud, waste and abuse in Medicare and Medicaid programs. tango stays committed to compliance with Medicare and Medicaid laws and rules. Vendors should be aware of these laws and notify [compliance@tangocare.com](mailto:compliance@tangocare.com) of any actual or suspected violations.
- **Fraud** is defined as the knowingly wrongful or criminal deception intended to result in financial or personal gain. Fraud includes false representation of fact, making false statements, or by concealment of information.
- **Waste** is defined as the thoughtless or careless expenditure, mismanagement, overuse of services or other practices to the detriment (or potential detriment) of the Medicare program. Waste also includes incurring unnecessary costs resulting from inefficient or ineffective practices, systems, or controls.



- **Abuse** is defined as excessive or improper use of a thing, or to use something in a manner contrary to the natural or legal rules for its use which may result in unnecessary costs to the Medicare program. Abuse happens when good medical practices are not followed and there is a lack of attention to the requirements.
- The Federal False Claims Act makes it a crime to present a false claim to the government for payment. Persons bringing these claims (“relators” or “whistleblowers”) are granted protection under these laws.
- Anti-Kickback Statute (AKS) The Anti-Kickback Statute prohibits knowingly and willfully soliciting, receiving, offering, or paying remuneration (including any kickback, bribe, or rebate) for referrals for services that are paid, in whole or in part, under a Federal health care program (including the Medicare Program). There are statutory exceptions and safe harbors that may apply.
- Stark Statute – Physician Self-Referral Law: The Stark Statute prohibits a physician from making referrals for certain designated health services payable by Medicare to an entity when the physician (or member of his or her family) has an ownership/investment interest; or a compensation arrangement (exceptions apply). The law is a strict liability statute and does not require intent. So even if a physician or entity does not intend to violate, but does so unknowingly or by innocent error, they can be held liable.
- tango expects vendors to promptly investigate all reports of suspected violations of applicable laws and regulations, and take reasonable steps to prevent, or report and correct violations.

#### 4. **Conflicts of Interest:**

- tango recognizes that conflicts of interest often arise in the course of normal business activities. To maintain the integrity of tango’s business, any individual associated with tango who can potentially benefit from a contract or other arrangement shall not participate in tango’s decision-making process relative to that contract or arrangement.
- If a vendor or business associate has a family member or other personal relationship with tango personnel, the vendor or business associate must disclose this fact to tango and discuss whether there might be a conflict of interest to resolve.
- Your relationships with others should not impact your independent judgement in doing business with tango and/or on our behalf.

#### 5. **Ethical Conduct:**

- Effective ethics is a team effort involving the participation and support of vendors. tango is committed to operating under the highest ethical business practices and standards.



**6. Gifts and Gratuities:**

- Acceptance of cash, cash equivalents, gratuities, or other benefits from vendors, providers or establishments that tango does business with shall not be permitted. tango does recognize and permit that business meetings and educational in-services may be conducted over a meal.
- Vendors with questions on the acceptance of entertainment or gifts should contact tango's Compliance Department.

**7. Environmental:**

- In support of tango's mission to improve the health of our members, employees, and communities we serve, tango is committed to purchasing services and products whose environmental impacts are better for human health and the environment.
- Vendors shall conduct their business activities in compliance with applicable environmental laws, regulations and industry standards and shall support tango's efforts to operate sustainably.

**8. Offshore Operations:**

- tango does not condone offshore operations to perform services involving the receipt, storing, transferring, access or handling of PHI/PII related to the contract and business with tango and tango's health plan customers and other vendors.
- Please note that prior to contracting with tango, disclosure and approval of all offshore activities must be made.
- Vendor partners may not engage in offshore services when acting on behalf of tango without written consent and approval from tango representative.
- tango may also require an annual disclosure of all offshore activities.

**9. Healthcare Sanction Checks and Screening:**

- tango will not engage in business with any vendor that is excluded, precluded, debarred or ineligible to participate in Federal and State healthcare programs such as Medicare and Medicaid as defined in 42 U.S.C. §1320a-7b(f), nor any other federal or state government payment program.
- Vendors are responsible for ensuring that any of its staff providing services to tango are eligible to participate in the foregoing programs.
- Vendors will report to tango any knowledge of an exclusion, criminal conviction or other action that may result in exclusion of participation.
- No Federal health care program payment may be made for any item or service furnished, ordered, or prescribed by an individual or entity excluded by the OIG.



**10. Diversity, Equity, and Inclusion:**

- tango is committed to the principles of equal opportunity, affirmative action, and fostering and maintaining a culture of diversity, equity, and inclusion.
- tango utilizes an audit and reporting system that tracks metrics and other indicators to measure the effectiveness of our DEI efforts.
- We embrace our employee's and vendor partner differences in age, color, ethnicity, religion, family/ marital status, disability, gender identity and expression, language, political affiliation, race, veteran status, sexual orientation, socio-economic status, and other unique and individual characteristics. Our partnership with a diverse vendor base is important as this in turn helps us to meet our members' diverse needs.

**11. Compliance Training, Monitoring, and Acknowledgement:**

- tango vendors are expected to train, educate, and monitor their workforce members on the Vendor Code of Conduct. Vendors are required as a condition of participation in working with tango, to acknowledge and comply with this Vendor Code of Conduct.
- tango may also prohibit any vendor or workforce member from providing services to tango and health plan customers who behave in an unlawful and/or unethical manner inconsistent with tango policies, applicable regulations, and Vendor Code of Conduct.

**12. Reporting Actual or Suspected Concerns or Violations:**

- tango vendors should report any unlawful or unethical conduct, HIPAA privacy incidents, violations related to regulations, law and policy related to tango business as soon as possible.
- Reports to the helpline may be made directly to [compliance@tangocare.com](mailto:compliance@tangocare.com) or via phone at 602-242-7917 at any time. Reports to the helpline can be done on a confidential or anonymous basis where local law allows and the information relayed will assist tango in further investigation. tango is committed to operating with the highest professional and ethical standards and we expect the same of our Vendors.