



AKUMIN INC.

## COMPLIANCE POLICY

### MEALS, ENTERTAINMENT, GIFTS & PROFESSIONAL COURTESIES FOR COVERED PERSONS, OTHER COVERED PERSONS AND GOVERNMENT REPRESENTATIVES POLICY

Effective October 13, 2022

#### POLICY

The purpose of this policy is to articulate Akumin Inc. and all of its subsidiaries (“Akumin”) compliance policy on the provision of Meals, Entertainment, Gifts and Professional Courtesies to Covered Persons, Other Covered Persons and Government Representatives in order to aid in ensuring that these activities comply with all applicable federal and state laws, including but not limited to the Federal Anti-Kickback Statute and the Stark Law. This Policy replaces the Meals & Entertainment for Covered Persons and Government Representatives Policy dated May 1, 2022 and the Gifts and Professional Courtesies Policy for Covered Persons and Government Representatives Policy dated May 1, 2022.

#### SCOPE

This Policy applies to all Team Members of Akumin.

For purposes of this Policy:

“**Covered Person**” means a Physician in a position to refer Medicare business to Akumin or to a client of Akumin as well as any Immediate Family Member of such Physician or any office personnel that work for or with such Physician.

“**Gifts**” include, but are not limited to, cash, gift certificates, gratuities, books, flowers as well as promotional items and non-monetary compensation in the form of items or services.

“**Government Representative**” means any government employee or anyone acting on behalf of the government (e.g., Medicare Administrative Contractors and Recovery Audit Contractors).

“**Immediate Family Member**” means a husband or wife; birth or adoptive parent, child, or sibling; stepparent, stepchild, stepbrother, or stepsister; father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, or sister-in-law; grandparent or grandchild; and spouse of a grandparent or grandchild.

“**Other Covered Person**” means a direct (e.g., a Physician that is not in a position to refer Medicare business to Akumin, including chiropractors, or any office personnel that work for or with such Physician) or indirect referral source, other than a Covered Person, as well as any Immediate Family Member of such referral source.

“**Physician**” means a doctor of medicine or osteopathy, a doctor of dental surgery or dental medicine, a doctor of podiatric medicine, or a doctor of optometry.

“**Team Members**” means all Akumin employees and agents working on behalf of Akumin.

## BACKGROUND

- A. Guidelines about various interactions with Covered Persons are necessary to ensure that the Stark Law and state self-referral laws that are consistent with the Stark Law are complied with. In addition, guidelines for interactions with Other Covered Persons is necessary to ensure that other federal and state fraud and abuse laws (*e.g.*, the Federal Anti-Kickback Statute) are complied with. Under no circumstances shall any meal, entertainment or Gift be provided as an inducement for referrals.

## GUIDELINES

- A. Meals may be incurred for Covered Persons when there is a bona fide business purpose directly related to Akumin services and participants are engaged in the business discussion. To ensure that an appropriate focus on an educational and/or informational exchange is maintained, meals should be clearly secondary to the business purpose of the meeting and be held in an environment that is conducive to the discussion of Akumin services. Meals shall not be offered more than three (3) times a calendar year per Covered Person. Akumin Team Members may offer a floral arrangement or gift basket with a retail value of no more than \$100 to a Covered Person for a holiday or to recognize major life events (*e.g.*, marriage, death of a spouse or birth of a child), and no more than once per calendar year to the same Covered Person. Team Members shall never offer cash or cash equivalents (*e.g.*, gift certificates, gift cards, debit cards, coupons, stock, airline frequent flier numbers, etc.) to Covered Persons. Promotional items that are of immaterial value may also be offered. The total value of meals, Gifts and promotional items per Covered Person (including for greater certainty such Covered Person's Immediate Family Members) as described above shall not exceed \$452 annually for 2022. This amount will be adjusted annually consistent with the methodology set forth in 42 C.F.R. § 411.357(k) (the Stark Law's nonmonetary compensation exception) or any successor provision.
- B. Meals, entertainment and Gifts for Other Covered Persons may only be offered in conjunction with an educational meeting about the services provided by Akumin and where (1) the amount of expense for meals and entertainment is less than \$450 in total per day per Other Covered Person (including for greater certainty such Other Covered Person's Immediate Family Members), (2) meals and entertainment are not offered more than three (3) times a calendar year per Other Covered Person and (3) Akumin Team Members may offer a floral arrangement or gift basket with a retail value of no more than \$100 to an Other Covered Person for a holiday or to recognize major life events (*e.g.*, marriage, death of a spouse or birth of a child), and no more than once per calendar year to the same Other Covered Person. Team Members shall never offer cash or cash equivalents (*e.g.*, gift certificates, gift cards, debit cards, coupons, stock, airline frequent flier numbers, etc.) to Other Covered Persons. Promotional items that are of immaterial value may also be offered.
- C. With the exception of minor refreshments in connection with business meetings, no meals, entertainment or Gifts shall be extended to any Government Representatives.
- D. Team Members shall also be cognizant of the meal, entertainment and Gifts policy of the Covered Person's, Other Covered Persons and Government Representatives. While adherence to such policies is the responsibility of the Covered Person, Other Covered Persons and Government organization, operating within the meal, entertainment and Gifts policies of our partners is in the best interest of the Akumin's reputation. In addition, there may be instances where Akumin is contractually bound to follow the meal, entertainment and Gifts policies of the institutions we partner with. Team Members best practice would be to know such institutions' meal, entertainment and Gifts policies prior to incurring any expenses.
- E. Akumin Team Members are prohibited from providing meals, entertainment and Gifts outside of this policy regardless of whether or not Akumin reimburses the Team Member for the expense.
- F. Akumin Team Members are prohibited from providing professional courtesies in the form of free or discounted services to Covered Persons and Other Covered Persons. This includes, but is not limited to: (i) free services; (ii) the waiver of any co-payments, deductibles, or other cost-sharing obligations; or (iii) any discounts to self-paying Covered Persons or Other Covered Persons that exceed the applicable discounts under Akumin's "self-pay policy".

- G. Any other exceptions to this Policy must be pre-approved through an Exception Report form submitted electronically by the requesting Team Member. Exceptions to this policy will require approval by Akumin's Chief Compliance Officer.
- H. Violation of this policy will result in disciplinary action, up to and including termination.
- I. Akumin shall reassess this Policy from time-to-time and make any necessary changes.

#### **TRACKING**

- A. Each Team Member shall receive the approval of such Team Member's supervisor in connection with the inurrence of any meal, entertainment and Gifts expense under this Policy.
- B. When providing meals, entertainment or Gifts, Team Members shall maintain a copy of the detailed receipt (*i.e.*, identification of all food/drink/Gift items purchased), in addition to the credit card receipt; both are required in order to receive reimbursement. In addition, the following information shall be documented on the receipts of all meal, entertainment or Gifts permitted under this Policy: (i) name & title and affiliation of all in attendance; (ii) name of meal location; and (iii) business purpose of meeting. Meals, entertainment or Gifts shall also be logged into Akumin's expense management software with sufficient details to allow for tracking of all expenses incurred with respect to a Covered Person or Other Covered Person to ensure compliance with the limitations set forth in this Policy. As of the date hereof, Akumin uses Concur software to track its expenses, which software may be updated or replaced from time to time for tracking purposes.
- C. To ensure compliance with this Policy, it is the responsibility of the Akumin Team Member supervisors to track the meals, entertainment and Gifts for Covered Persons and Other Covered Persons, to ensure proper submission of the same through Akumin's expense management software, and to otherwise maintain and provide records of such expenses incurred under this Policy as required.
- D. In the event a Team Member has inadvertently breached this Policy, Akumin's Chief Compliance Officer shall be promptly consulted to provide guidance.
- E. Akumin's Chief Compliance Officer has the authority to review all meal, entertainment and Gift expenses submitted through Akumin's expense management software, and request copies and review all related documentation and receipts at any time. Failure to log, maintain, and/or produce accurate records shall be considered a violation of this Policy.