



ESSENT HEALTHCARE, INC.

Section: Corporate Compliance	Effective Date:	11/15/04
Subject: Responding to Search Warrants	Revision Date:	05/06/09
Policy #: CC-2	Review Date	05/06/09
Responsible Party: Corporate Compliance Officer	Revision #:	3

Scope:

This policy applies to all members of the Essent Healthcare, Inc. workforce.

Purpose:

The purpose of this policy is to set forth procedures to be followed by all employees in the event that they are served with a search warrant.

Policy:

In the event that a search warrant is served on any employee or facility, it is our policy to fully comply with the warrant and fully cooperate with the agents serving the warrant under the direction of the Corporate Compliance Officer (CCO). Essent also desires to exercise and preserve all of its rights afforded by the search warrant process.

Procedure:

A search warrant is a legal document giving authorization to specific law enforcement officers to search a specified area and to seize specific material. The warrant must describe the material that can be seized and the places that may be searched; and must be signed by, or on behalf of, a judge or magistrate with jurisdiction over the area to be searched.

1. In the event that government agents present any employee with a search warrant seeking to access company material, cooperate with the agents and immediately notify the Corporate Compliance Officer (CCO):
 - a. Office 615-312-5131
 - b. Cell 615-406-5103
2. If for any reason the CCO cannot be reached, immediately contact the compliance reporting hotline at 1-800-472-8868. Be sure to mention that this is a **Severity Level I** event.
3. The CCO (or his designee) will immediately notify regulatory counsel and the Chief Executive Officer.
4. The Chief Executive Officer of the facility should become the contact person for the agents. When possible, non-essential employees should be sent home until the search is completed.
5. Ask for identification from the agent in charge of executing the warrant, and ask for a copy of both the search warrant and the affidavit submitted to the court in order to obtain the warrant. Fax or send this information to the CCO as soon as possible.
6. It is our policy to cooperate fully with the agents. It is absolutely critical that no employee interferes with the agents in any way during their search or prevent them from accessing anything listed in the



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- search warrant. Obstructing or interfering with a lawful search can constitute a serious offense.
7. The contact person should accompany the agents during the search and take notes of what they take, what they look at, to whom they talk, and what questions are asked.
 8. The agents may ask employees questions during the search. Agents may present themselves at the home of an employee. Employees have the right to either talk to the agents or not to talk to them, except to the extent that it is necessary to talk to them to comply with the warrant. Employees also have the right to consult with counsel when making that decision and to have counsel present if they decide to talk to the agents.
 9. The search warrant will include an attachment listing things that can be seized and places that may be searched. If the agents try to go into areas that are not listed in the warrant, ask them to wait until legal counsel arrives. If they refuse, **do not interfere**, but note which agents went into areas not specified in the warrant, when this occurred, and whether they seized anything from the area.
 10. Agents may take original documents. You should ask for a detailed inventory of the material the agents are taking. They are required to provide a receipt for the articles taken.
 11. If the agent takes documents (including computer files), ask to make copies of those documents. Agents are not required to allow copies to be made and may refuse to do so.
 12. If the agents are looking for a document housed in a place other than those listed on the warrant, let the agents know we will be happy to comply once their search warrant has been updated. While you should not block access to any area, NEVER give agents permission to search an area that is not listed on the warrant.

References:

HCCA Compliance Manual