



ESSENT HEALTHCARE, INC.

Section:	Information Technology	Effective Date:	4/20/05
Subject:	Electronic Communications	Revision Date:	5/17/07
Policy #:	ISP-011	Review Date:	6/26/08
Responsible Party:	Chief Information Officer	Revision #:	3

Scope:

This policy applies to all workforce members of Essent Healthcare, Inc., (“Essent” or “Company”).

Purpose:

The purpose of this policy is to establish guidelines for the proper use of electronic media, devices, and communications.

Policy:

It is the policy of Essent that, in order to remain competitive, better serve our customers, and give our talented workforce the best tools to do their jobs, Essent continues to adopt and make use of new communication technologies. This means that many of our employees have access to one or more forms of Essent Electronic Communication Systems, including computers, e-mail, telephones, voice mail, fax machines, external electronic bulletin boards, wire services, on-line services, and the Internet.

Essent encourages the use of these media and associated services to the extent that they are useful and assist the employee in performing their job. Accessing these services should enhance productivity, not inhibit the performance of the individual.

All employees and everyone connected with the organization should remember that all electronic media and services provided by Essent are Essent property and their purpose is to facilitate and support Essent business. All Essent property must be returned to Essent immediately upon termination of employment.

This policy cannot address every possible situation but will clearly express Essent’s philosophy and the general principles employees should apply while using electronic media and services.

This policy applies to all electronic media and services that are:

- Accessed on or from Essent premises;
- Accessed using Essent computer equipment or via Essent paid access methods; or
- Used in a manner that identifies the individual with Essent.



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A. E-Mail

The Company provides electronic mail (e-mail) for the purpose of promoting communications between its employees and between its employees and external parties. Because the Company's e-mail system is provided for business purposes, employees using e-mail do not have any right to privacy in the contents of e-mail messages and understand the Company may monitor and disclose any or all e-mail messages for any reason or purpose.

A Company designated information systems contact must have access to all computer storage systems. The unauthorized use, installation, copying or distribution of software, programs, "downloads," or copyrighted, trademarked or patented material on the Internet is expressly prohibited.

Likewise, users must not transmit sensitive information (including protected health information or other confidential company information) to unauthorized recipients. Protected Health Information (PHI) and/or other sensitive information should not be sent over the internet unless the message is encrypted with a current encryption standard (see policy ISP-016). E-mail that contains PHI should include only the minimum amount of information necessary to complete the communication transaction, and should be encrypted when being sent outside of the organization.

Prohibited Communications – Material that is harassing (on any of the bases listed below), sexually explicit, obscene, profane, intimidating, or unlawful must never be accessed from any Essent workstation or computer. **This includes material that would offend someone on the basis of race, color, age, sex, sexual orientation, religion, political beliefs, national origin, ancestry, genetic information, military service, disability, or any other category protected by applicable federal, state or local law.** Users encountering such material must immediately report the incident to their supervisor, the Facility Security Officer or Compliance Officer.

Improper use of the Company's e-mail system can result in discipline, up to and including termination. E-mail messages may be reviewed by authorized Company personnel and, if necessary, may be disclosed to law enforcement officials or other third parties without notice to any of the parties to the message.



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While the Company understands that employees may receive inappropriate e-mail, our intent is to protect the Company's interest by insisting employees use mature judgment in sending or forwarding any e-mail that has the potential to be a "Prohibited Communication" as set forth above.

Employees should treat e-mail in the same manner as they would treat a paper file, with an expectation that anything in them will be available for review by authorized representatives of the Company. Emails should be retained in accordance with the Company's record retention policy (see policy CC-10).

All emails being sent outside of the organization must contain the following disclosure:

"This message is intended for the addressee(s) named above. It may contain information that is privileged, confidential, or otherwise protected from use and disclosure. If you are not the intended recipient, you are hereby notified that any review, disclosure, copying, or dissemination of the transmission or the taking of any action in reliance on its contents, or other use is strictly prohibited. If you have received this message in error, please delete the message and notify the sender via return email immediately. Thank you in advance for your cooperation."

B. Security/Appropriate Use

Employees must respect the confidentiality of other individual's electronic communications. Except in cases in which explicit authorization has been granted by Company management, employees are prohibited from engaging in, or attempting to engage in:

- Monitoring or intercepting the files or electronic communications of other employees or third parties;**
- Hacking or obtaining access to systems or accounts they are not authorized to use;**



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- Using someone else's logins or passwords;
- Sharing assigned logins and passwords;
- Downloading non-business related software and/or utility programs; and
- Breaching, testing, or monitoring computer or network security measures.

No e-mail or other electronic communications should be sent that attempt to hide the identity of the sender or represent the sender as someone else. Electronic media and services should not be used in a manner that is likely to cause network congestion or significantly hamper the ability of other people to access and use the system.

C. Internet Usage

The Company may provide access to the Internet for use to accomplish business objectives of the Company. Employees are not allowed to use the Internet to view, download, copy, send or process discriminatory, harassing (on the basis of categories protected by applicable federal, state or local law as described in "Prohibited Communications" on page two), obscene or pornographic material. Violation of this policy may result in discipline, up to and including termination.

D. Encryption

Employees may use encryption software supplied to them by the systems administrator for purposes of safeguarding sensitive or confidential business information. Employees who use encryption on files stored on a Company computer must provide their supervisor with a sealed hard copy record (to be retained in a secure location) of all passwords and/or encryption keys necessary to access the files. Outgoing emails that contain PHI or other sensitive information will be automatically encrypted.



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E. Participation in On-line Forums and/or “Blogs”

Employees should remember that any messages or information sent from Company equipment to one or more individuals via an electronic network (e.g. Internet mailing lists, bulletin boards, web logs or “blogs”, and other on-line services) are statements identifiable and attributable to the Company.

The Company recognizes that participation in some forums might be important to the performance of an employee’s job. For instance, an employee might find the answer to a technical problem by consulting members of a newsgroup devoted to the technical area. Employees should include the following disclaimer in all of their postings to public forums:

“The views, opinions and judgments expressed in this message are solely those of the author. The message contents have not been reviewed or approved by Essent Healthcare, Inc.”

Employees should note that even with a disclaimer, a connection with the Company exists and a statement could be imputed legally to the Company. Therefore, employees should not rely on disclaimers as a way of insulating themselves or the Company from the comments and opinions they contribute to forums. Communications (whether sent from an Essent computer or from one’s personal computer) must never reveal information about the Company’s techniques, trade secrets, strategic positions, or similar Company confidential information and must not otherwise violate this or other Company policies.

While Essent encourages open communication both internally and externally in all forms, we expect and insist that such communication does not disparage the reputation or business of the Company. Communicating sensitive or confidential Company information is ALWAYS forbidden and may result in termination of employment or other legal action. Examples of confidential Company information includes internal financial records and analyses, Protected Health Information, contracts, trade secrets, personnel files, and other information that is considered private. When participating in an online forum, the following points should be considered:



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- Public communications concerning Essent must not violate any Company policy or procedure, or the Code of Conduct.
- Employees must not participate in online forums during work time
- If you identify yourself as an Essent employee, you must include the following disclaimer: “The opinions expressed here are the personal opinions of *[your name]*. Content published here is not read or approved by Essent before it is posted and does not represent the views and/or positions of Essent.”
- You may not publish any material that violates our privacy policy.
- You may not make statements that are disparaging about fellow employees, authors, customers, patients, vendors, or shareholders.
- You may not disclose any sensitive, proprietary, confidential, or financial information about Essent or its patients, vendors, medical staff, or others.
- You may not post material that is obscene, defamatory, vulgar, profane, libelous, threatening, harassing (on the basis of categories protected by applicable federal, state or local law as described in “Prohibited Communications” on page two) to another person or entity affiliated in any way with Essent.
- If you are unsure as to whether you should post certain material, you may check with your manager or supervisor before making the post. Remember, information posted to the internet will remain in the public domain for many years to come.
- Remember that you are NOT anonymous! Even if you write anonymously or under a pseudonym, your identity can still be revealed. You should always communicate as if you were doing so under your own name. It is recommended that you communicate using your real name.
- You are personally and legally responsible for any content you publish. Individuals can be held personally liable for any commentary deemed to be defamatory, obscene, proprietary, or libelous. Be aware of applicable laws and regulations regarding publishing your content. This includes adhering to applicable copyright laws.



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F. Personal Use of Company's Electronic Communication Systems

While occasional personal use of the Company's Electronic Communication Systems may be tolerated, routine personal use is not permitted. Any personal use may not in any way adversely affect an employee's productivity nor in any way create any conflict of interest. Employees should be aware that systems are limited, and use for personal reasons interferes with our ability to meet operational and business needs. In the event use for personal reasons interferes with our ability to meet operational and business needs, such personal use may be curtailed or completely prohibited with or without notice to employees.

Under no circumstances, however, should the Company's Electronic Communication Systems be used for circulating chain letters, promoting pyramid schemes, or introducing computer viruses or other system contaminants. These systems may not be used for solicitation, including those on behalf of charitable organizations, during your working time or the working time of the employee or employees that you are soliciting. Employees who use the Company's electronic messaging systems for personal reasons or to post personal notices within the systems or on external systems are responsible for the content of their messages, and may be subject to disciplinary action up to and including termination if the use is in violation of this policy.

G. Company Information

Company information, software or property should not be stored on employee-owned computers or disks except as necessary in the furtherance of legitimate business purposes. Employees with a need to store data, software or Company property on personal computer systems must have approval from the FSO or CSO. Employees who store data on personal computer systems or other employee-owned media are responsible for and will be held accountable for the security of that information.



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H. Software

Federal copyright law prohibits the distribution, ownership, or reproduction of original works of authorship, including computer software, to unlicensed parties. In the vast majority of cases, “off the shelf” software purchases are actually only a purchase of a license to use one copy of the software, usually on a single computer. Making more copies than the number provided in the license constitutes copyright infringement.

To ensure there are no unlicensed software placed on Company computers, the Company will periodically audit the hard drives of the computers for any software that has not been supplied by the Company. If an employee wants to add software to a Company hard drive, s/he must first consult and receive permission from the FSO as per policy ISP-007 – Workstation Use.

The use of Peer-to-Peer software, or file-sharing software, such as Kazaa and Morpheus does not meet any business need and is strictly prohibited.

Policy Violations - Employees who abuse the privilege of Company-facilitated access to electronic media or services are subject to corrective action and risk having the privilege removed for themselves and possibly other employees. Additionally, a violation of this policy may result in discipline, up to and including termination.

Procedure:

During the New Hire Orientation the HR Director or his/her designee will discuss this policy with each new employee. All current employees will be given access and opportunity to read this policy. All employees, both current and new hires must sign the attached Acknowledgement Form recognizing that they have received the Company’s Electronic Communications Policy. Signed acknowledgements shall be maintained in the employee’s personnel file by the Human Resources Department at each facility. Upon termination of employment, department managers shall coordinate with Human Resources and Information Technology to ensure that all company property is recovered from the departing employee on or before the employees’ last day of work. This includes computers, electronic devices, documents, and any other company property in the possession of the departing



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employee. Final paychecks and/or severance payments shall not be released until all company property has been returned by the departing employee.

References:

HIPAA Section 164.308(a)
NIST Publication 800-12; 800-18; 800-53
Also see Workstation Use Policy ISP-007



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**ACKNOWLEDGEMENT
Electronic Communications Policy**

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Essent encourages the use of these media and associated services to the extent that they are useful and assist the employee in performing their job. Accessing these services should enhance productivity, not inhibit or interfere with the performance of the individual.

All employees and everyone connected with the organization should remember that electronic media and services provide by Essent are company property and their purpose is to facilitate and support company business. As such, all electronic media, devices, and information must be returned to Essent immediately upon termination of employment. Failure to return all company property upon termination of employment shall result in the withholding of final paychecks and/or severance payments until such time when all company property has been recovered by the company.

I acknowledge that I have received the Electronic Communications Policy. I have read (or will read) the Electronic Communications Policy and comply with all company requirements. For further clarification, I will discuss the policy with Human Resources.

Print Employee Name: _____

Employee Signature: _____

Date: _____