

HEALTH CARE SERVICE CORPORATION
CORPORATE POLICY

DEPARTMENT: Legal	
POLICY NUMBER: 9.01	POLICY TITLE: Corporate Records & Information Management
EXECUTIVE OWNER: EVP & Chief Legal Officer	BUSINESS OWNER: Vice President Litigation
ORIGINAL EFFECTIVE DATE (IF KNOWN): 2/2008	COMMITTEE APPROVAL DATE: 8/1/24

I. SCOPE

This Policy is applicable to all Health Care Service Corporation, a Mutual Legal Reserve Company, (HCSC) Workers, as defined in the HCSC HR Workforce Classifications Policy, who are responsible for creating, receiving, preserving, retaining and/or destroying HCSC Business Records and Information, regardless of media type, that evidence their business activities with, on behalf of, or relating to HCSC.

II. PURPOSE

- A. It is the policy of HCSC to preserve, retain and destroy Business Records and Information in a comprehensive and consistent manner in accordance with business needs, legal and regulatory requirements and HCSC By-Laws.
- B. The objectives of this Policy are to ensure that (1) HCSC Business Records and Information are managed in a manner that reflects best practices, legal, contractual and regulatory requirements and HCSC business needs; and (2) HCSC Business Records and Information that are required to be retained because of litigation, government investigation, contractual obligations, tax or other audit or other circumstance necessitating a Legal or Tax Hold are properly preserved and accessible.

III. DEFINITIONS

- A. **“Business Record”** is a subset of Information that represents the final documentation of a HCSC business transaction, decision or activity regardless of media type.
- B. **“Corporate Records & Information Management Procedures”** or **“Procedures,”** means the document which provides guidance on the basic principles of records retention, preservation and destruction to be applied to HCSC transitory information, work-in-progress, Business and Official Records which are identified in the Retention Schedule.
- C. **“HCSC Legal Hold Policy 9.07** or **“Legal Hold Policy,”** means the document which provides guidance on the preservation of Information when a Legal Hold is applied.
- D. **“Information”** is all HCSC data, transitory messages, Business Records and Official Records. Information that is not a Business Record is typically needed for only short periods of time.

- E. **“Legal Hold”** is a notification sent by the Legal Division to employees, contractors or third-party vendors instructing them not to delete electronically stored Information nor discard paper documents that may be relevant to an existing or anticipated legal matter.
- F. An **“Official Record”** is a subset of Business Records. It refers to the instance of a Business Record that the responsible business area designates as such and must retain per the Retention Schedule.
- G. **“HCSC Enterprise Records Retention Schedule”** or **“Retention Schedule”** which is updated from time to time, is the current list that specifies each category of Business Records and the period of time each must be retained to satisfy operating needs, tax purposes, legal or regulatory compliance, and archival requirements.
- H. **“RIM Liaison”** is an employee assigned to support the objectives of the RIM Program within each business area. RIM Liaisons are responsible for implementing policies and procedures to support the RIM Program in their department. They are also accountable for monitoring ongoing compliance with the RIM Program.
- I. **“Tax Hold”** is a notification sent by the Tax Division to employees, contractors or third-party vendors instructing them not to delete electronically stored Information nor discard paper documents that may be relevant to a new or anticipated tax-related matter.

IV. POLICY

A. OVERVIEW

This Policy provides direction, authority and requirements for the preservation, retention and destruction of all HCSC Business Records and Information, as defined in the Procedures supporting this Policy, regardless of media type. This Policy authorizes the implementation of records management controls and procedures related to the preservation, retention and destruction of HCSC Business Records and Information unless subject to a Legal or Tax Hold.

B. AUTHORITY and RESPONSIBILITY

1. Authority of HCSC’s Chief Legal Officer and Corporate Secretary

The Corporate Secretary, as set forth in the HCSC By-Laws, is the custodian of corporate records and the seal of the corporation.

- a. The Corporate Secretary and Chief Legal Officer is responsible for:
 - i. Establishing and/or approving all guidelines that relate to HCSC Business Record and Information preservation, retention and destruction, in accordance with business needs, legal and regulatory requirements and HCSC’s By-Laws.
 - ii. Establishing and/or approving, with assistance from business management, appropriate procedures for the interpretation and application of this Policy.
 - iii. Communicating or delegating to other Legal team members to communicate such guidelines to appropriate management.
 - iv. Establishing requirements and procedures for personnel compliance with such guidelines.

2. Records & Information Management

- a. The Records & Information Management (“RIM”) department of HCSC’s Legal Division is responsible for reviewing, revising, interpreting and implementing this Policy and any related Procedures.
- b. The RIM department, with assistance from management, develops and implements the Retention Schedule, which is reviewed periodically and revised and updated if necessary.
- c. The RIM department facilitates training and compliance for Workers subject to this Policy.

3. Information Technology (IT)

IT employees, together with business owners, are responsible for knowing if data on the systems they manage contain Official Records (i.e. the one instance of a Business Record that the responsible business area designates and retains per the Retention Schedule). In addition, IT is responsible for making sure the applications retain and dispose of data consistent with RIM Policy and the Retention Schedule and ensures that such systems are able to suspend deletion when required by Legal or Tax Holds. Data should not be retired or decommissioned without first coordinating with the Legal Division. The Legal Division should be consulted as early in the process as possible to assist in the planning for decommissioning existing databases or systems and implementing any new databases or information systems so as to ensure compliance with RIM Policy, RIM Procedures, the Retention Schedule, and any Legal or Tax Holds.

4. Legal Division

The Legal Division is responsible for the management of the RIM department and its functions, including the approval of the Retention Schedule and any processes or procedures related thereto, including the issuance and release of Legal Holds as defined in the Legal Hold Policy.

5. HCSC Management

- a. Divisional leaders are responsible for ensuring that Workers in their area of business responsibility and oversight are knowledgeable of and comply with this Policy and any related Procedures, the Retention Schedule and the Legal Hold Policy.
- b. Divisional leaders are responsible for designating a “RIM Liaison” for their business unit. The RIM Liaison acts as the RIM SME within the business unit who answers questions and works closely with the RIM department on issues relating to this Policy, RIM Procedures, the Retention Schedule, and the Legal Hold Policy, including, but not limited to, training and compliance.
- c. Divisional leaders, with assistance from their designated RIM Liaison, are responsible for ensuring training designated by the RIM department is conducted by their Workers.

6. Workers

Every Worker is responsible for the creation, maintenance and disposal of HCSC Business Records and Information as part of their daily work in accordance with this Policy, any related Procedures, the Retention Schedule and any applicable Legal or Tax Holds. If any employee

does not understand what HCSC Business Records they are responsible for maintaining, they should contact their manager or RIM Liaison.

C. POLICY REQUIREMENTS

1. Retention

- a. HCSC recognizes that its Business Records and Information are valuable company assets which require prudent management that aligns with records management best practices, legal, contractual, tax and regulatory requirements and operational needs.
- b. The Retention Schedule identifies Information that is HCSC Business Records, along with approved retention periods. All other Information is not deemed to be a HCSC Business Record and is not subject to the retention periods in the Retention Schedule.
- c. The content of emails may or may not be considered HCSC Business Records. The Zone Approach is a classification system designed to assist users in differentiating between (a) email messages that are transitory (Zone 1) (b) email messages that are considered work-in-progress (Zone 2) or (c) email messages that are a HCSC Business Record (Zone 3).
- d. Refer to section IV.C. of the Procedures for details of the Zone Approach.

2. Destruction

Except for HCSC Business Records subject to a Legal or Tax Hold (which must be retained until a Worker is informed via email that the Legal or Tax Hold has been released), HCSC Business Records that have satisfied the Retention Schedule requirements must be destroyed in accordance with this Policy and related Procedures. When handling the destruction of HCSC Business Records stored at an offsite storage location, follow the Offsite Storage Destruction Procedures.

3. Compliance

- a. All HCSC Workers responsible for creating, receiving, preserving, retaining and/or destroying HCSC Business Records and Information shall do so in accordance with this Policy and any related Procedures, the Retention Schedule, the Zone Approach, and any applicable Legal or Tax Holds.
- b. Noncompliance with this Policy and any related Procedures, the Retention Schedule, Zone Approach or any applicable Legal or Tax Holds may result in appropriate disciplinary action, up to and including termination of employment or end of engagement.

4. Exceptions and Restrictions

- a. A Legal or Tax Hold supersedes any directives of this Policy or any retention periods specified in the Retention Schedule.
- b. Any requests (other than those directed by Legal or Tax Holds) that relate to exceptions or other deviations from this Policy, any related Procedures, and the Retention Schedule require the approval of HCSC's Chief Legal Officer or his or her designee prior to making any decisions or taking any actions relating to such exception or deviation.

- c. Except for Legal or Tax Holds that are, or will be, put into effect, there are no exceptions to this Policy, any related Procedures, or the Retention Schedule identified in the following section.

V. CONTROLS/MONITORING

Control/Monitoring Document or Control/Monitoring Description	Control/Monitoring Owner
All HCSC Workers are required to complete training on the RIM Policy, Procedures, and Retention Schedule at least every other year. The RIM training is updated with new content by the RIM department.	Legal
The training is delivered via an assigned web-based course that is administered by Blue University.	Blue University
Business Area Management is responsible for monitoring their employees' progress toward completing the RIM training.	Business Area Management

VI. RELATED DOCUMENTS

The following procedures and resources should be referenced for complete information on your obligations:

1. Corporate Procedure 9.01 - Corporate Records and Information Management Procedures effective August 1, 2024
2. HCSC Enterprise Records Retention Schedule effective June 1, 2024
3. Corporate Policy 9.07 - Legal Hold Policy effective August 1, 2024
4. Offsite Storage Destruction Procedure
5. HR Workforce Classifications Policy

VII. IMPACTED BUSINESS AREAS

1. Information Technology
2. Blue University

VIII. POLICY REVIEWERS

Person Responsible for Review	Title	Date of Review
Norm Beck	VP Litigation	7/19/24
Peter Stanicek	AVP Legal Ops & Div Planning	6/20/24
Ivanka Paraga	Records & Info Management Specialist	6/4/24

Jim Petrassi	DSVP Chief Technology Officer	6/28/24
David Mahlan	Learning Partner	6/28/24

IX. POLICY REVISION HISTORY

Description of Changes	Revision Date
Annual review with minor updates	8/1/24

X. POLICY APPROVALS

Company, Division, Department and/or Committee	By: Name	Title	Approval date
Legal	Catherine Nelson	EVP & Chief Legal Officer	7/24/24
EPP Committee			8/1/24