

<b>DEPARTMENT:</b> Legal	<b>POLICY DESCRIPTION:</b> Copyright
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<b>EFFECTIVE DATE:</b> November 1, 2024	<b>REFERENCE NUMBER:</b> LL.GEN.002
<b>APPROVED BY:</b> Ethics and Compliance Policy Committee	

**SCOPE:** All Company-affiliated facilities including, but not limited to, hospitals, ambulatory surgery centers, home health agencies, hospice agencies, physician practices, outpatient imaging centers, and all Corporate Departments, Divisions, Groups and Markets.

**PURPOSE:** To ensure compliance with applicable copyright laws and licensing requirements (collectively “Copyright Laws”), and to avoid infringement of copyrights.

**POLICY:**

Except as permitted by Copyright Law, Colleagues will not reproduce, distribute, perform, or otherwise use Copyrighted Works, except under the following circumstances:

1. under the terms of an executed license agreement or with the otherwise express written permission of the copyright holder;
2. unless licensed under an agreement that Company has with the Copyright Clearance Center (CCC); Broadcast Music Inc. (BMI); American Society of Composers, Authors and Publishers (ASCAP); Society of European Stage Actors and Composers (SESAC); Global Music Rights (GMR) or Motion Picture Licensing Corporation (MPLC);
3. unless licensed under an approved Creative Commons or Open Source license;
4. the use is in compliance with the PC Software License Management Policy, LL.IP.002; or
5. as otherwise permitted by applicable law, including but not limited to Copyright Law (e.g., verified as a work in the public domain).

**PROCEDURE:**

A. General Legal Restriction: With only very narrow exceptions, Copyright Laws prohibit anyone from reproducing, distributing, performing, or otherwise using all or any portion of a Copyrighted Work, whether in print, video, electronic, or any other form. This prohibition can extend to the use of Copyrighted Works for a commercial purpose without entering into a license agreement. Original works may be protected by Copyright Laws in the United States regardless of whether the works display the copyright symbol (©) or are registered with the U.S. Copyright Office.

B. Specific Examples:

1. For Copyrighted Works distributed by the author in a physical format (such as a book, compact disc, DVD/Blu-ray™, magazine, or journal), one may purchase a copy to privately and individually consume and may share the original copy with another person to privately and individually consume, unless purchased under an agreement that prohibits the lending or reselling of the physical copy of the Copyrighted Work (such as a textbook purchased pursuant to a publisher’s purchasing agreement that prohibits resale or redistribution of the textbook).

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Additionally, unless permitted under the CCC or MPLC licenses (as described in Sections C. and E. below), copies or reproductions of a Copyrighted Work obtained in a physical format are not to be made and/or distributed.

2. For Copyrighted Works presented as movies or video clips (whether in a digital or physical format, including, for the avoidance of doubt, online video platforms such as YouTube or Vimeo), except as permitted under the MPLC license (as described in Section E. below) or pursuant to express written permission of the copyright owner, the movies or video clips are not to be used in internal or external business presentations and/or shown for public viewing, such as in waiting rooms or group areas for patients nor can they be copied in any part or in their entirety. Copyrighted Works presented as videos may be provided, however, to patients for viewing in the privacy of their hospital room as long as such movies or video clips are lawfully obtained (for example, a physical DVD or Blu-ray™ copy lawfully purchased, but *excluding* streaming video platforms such as YouTube, Netflix, Hulu, Amazon, or similar streaming apps whether on a personal or corporate device or internet-connected television). Company is a commercial business entity and, therefore, cannot be engaged in the commercial use of a personal account with an online video platform.
3. For Copyrighted Works in musical format, whether performed by artists, except as permitted under license agreements with BMI, ASCAP, SESAC or GMR (as described in Section D. below) or pursuant to express permission of the copyright owner, Copyright Works performed by artists shall not be performed, copied, distributed or used in any internal or external presentations.
4. Copyrighted Works presented as images, photographs, illustrations or other similarly classified works may not be downloaded or copied from the internet unless a valid license is obtained for that image. Company has entered into a license agreement with Getty Images. Please contact your marketing department or visit the Brand Resource Center at [HCAHealthcare.com/brand](https://www.hcahealthcare.com/brand) to access Getty Images and custom photography.
5. Copyrighted Works presented as fonts, or typeface, families and libraries may not be downloaded unless a valid license is obtained for that font library. Company has entered into a license agreement with Monotype for Company's official font offerings. Please contact your marketing department or visit the Brand Resource Center at [HCAHealthcare.com/brand](https://www.hcahealthcare.com/brand) for questions on font usage.
6. Internal use or distribution of Copyrighted Works without permission or a valid license is considered copyright infringement. Thus, for example, video clips, images and/or music must not be used in internal presentations without obtaining permission from the copyright owner or a valid license.
7. AI Solutions or other Artificial Intelligence enhanced tools or platforms may not be


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used to infringe on the copyrights of others, including intentional prompting or otherwise attempting to generate infringing or substantially similar outputs to existing Copyright Works, or outputs that violate the name, image, likeness, or voice rights of an individual. Specific licensing requirements may be required in order to include a Copyrighted Work (or portion thereof) in any AI Solution or Artificial Intelligence-enhanced functionality. Refer to the Company's Responsible AI Policy ([EC.031](#)) for the definition of AI Solution and Artificial Intelligence.

- C. License Agreement with CCC for Printed Works for Internal Use: The Company holds an annual copyright license from the CCC, which enables Colleagues to reproduce and distribute content within the enterprise, in print or electronic format, as needed. The following is a list of key provisions in the CCC license:
1. Under the CCC License, Company Colleagues may copy and internally distribute excerpts from newspapers, magazines, journals, and other Copyrighted Works licensed by the CCC as often as needed, provided that the license may not be used as a replacement for subscriptions or primary purchases of the published materials and **provided** that they are **obtained from a lawful source** and distributed to Colleagues for **internal use** only. Colleagues may e-mail articles of interest that are covered by the CCC license to other internal Colleagues, share articles by posting them on the Company intranet sites, store articles in shared folders, and scan content when a digital original is not available. The CCC license applies only to the works in CCC's online catalog (available in [RightFind](#)).
  2. Colleagues may **not** copy CCC-licensed Copyrighted Works for the purpose of external distribution, except under the following circumstances:
    - a. Responsive Rights: Colleagues may, in response to a specific request from a non-Company employee, provide a copy of the Copyrighted Work to the requesting party if Responsive Rights are allowed by the CCC license (see subsection D. below).
    - b. Government Filings: Colleagues may provide copies of the Copyrighted Works to government agencies as required to support regulatory submissions.
    - c. For all Other Circumstances: Colleagues need permission from the copyright holder to copy and distribute any Copyrighted Works externally.
- D. Before copying or distributing portions of any Copyrighted Work:
1. Colleagues should consult [RightFind](#), the platform to search Copyrighted Works registered with and available for simple licensing through CCC: (1) in the search box type the name of the publication; (2) click the search icon; (3) find the result that corresponds with your publication. To the right of the publication, you will see a box marked "How can I use this copyrighted content?" There are usually three

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options identified. If you click on each option, a description of the rights will appear in a pop-up window. A breakdown of each option is identified below:

- a. Digital Sharing: This right allows for the distribution internally, in electronic form, the Copyrighted Work (such as by e-mail or by posting on an intranet site).
- b. Photocopy Sharing: This right allows for Colleagues to photocopy a portion of the Copyrighted Work, such as a single article from a magazine, and distribute it in paper form.
- c. Digital Responsive Rights: This right allows for the sharing of single electronic copies of the Copyrighted Work with clients, prospects or customers, in response to a specific request, for informational purposes.
- d. **If you see  next to any of these options**, you do not have permission to distribute or copy the Copyrighted Work, and digital responsive rights are not allowed.

2. If the Copyrighted Work is not included in the CCC's list of registered works, the Colleague must obtain prior written approval from the publisher or owner of the copyright before copying any portion of the Copyrighted Work. A sample letter to request approval is attached to this Policy as Attachment B.
3. Notices of Policy Requirements: Each facility should post notices at copiers and in library or research areas that include the basic elements of this Policy and the CCC's website address. See sample notice attached to the Policy as Attachment A.

E. License Agreements with BMI, ASCAP, SESAC and GMR for Musical Works: The Company has entered into license agreements with BMI, ASCAP, SESAC and GMR to use the Copyrighted Works registered with BMI, ASCAP, SESAC and GMR (e.g., music that is publicly performed 1) in corridors, and 2) on telephone lines (on hold music) in Company-affiliated facilities without having to request additional permission from the music publishing copyright holders of such Copyrighted Works.

1. Company-affiliated facilities registered under Company's blanket licenses with BMI, ASCAP, SESAC and GMR are permitted to play lawfully obtained Copyrighted Works presented as music as background music in offices, waiting rooms, patient rooms and corridors or broadcasted through televisions in waiting rooms and patient rooms.
2. Colleagues will need to check the libraries of all three organizations to determine whether a particular song is covered.
  - a. BMI: [www.bmi.com](http://www.bmi.com) (Find the "Search Site or Repertoire" search box. Colleagues can search by artist, songwriter, or title).
  - b. ASCAP: [www.ascap.com](http://www.ascap.com) (Find the search function under the link

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“Repertory” to run a search by title, writer, publisher, or performer).

- c. SESAC: [www.sesac.com](http://www.sesac.com) (Find the search function under the link “Repertory” to run a search by song, artist, publisher or writer).
- d. GMR: [www.globalmusicrights.com](http://www.globalmusicrights.com) (Find the “Search Catalog” search box to run a search).

Always make sure the Copyrighted Work presented as music (sound recording) is lawfully obtained. Colleagues should never use Copyrighted Work that has been downloaded from illegal file sharing websites or has been otherwise unlawfully obtained. Additionally, we do not permit use of any music from iTunes / Apple Music, Amazon Music, Spotify, YouTube, or other similar personal, noncommercial music service providers.

F. License Agreement with MPLC for Videos and Motion Pictures: The Company has entered into a license agreement with the MPLC for specific facilities (described in subsection 1. below) and for corporate training (described in subsection 2. below). **Waiting rooms in emergency departments and acute care facilities are not covered under this licenses agreement at this time.**

1. Facilities: Surgery centers, psychiatric hospitals, specialty hospitals and outpatient facilities are permitted to show, but **not copy or edit any portion of**, those Copyrighted Works presented as pre-recorded movies or video clips covered by the MPLC Producer’s list, to patients and guests of their facility if the showing is not advertised and no admission is charged.
  - a. Outpatient treatment centers (e.g., wound treatment centers, dialysis centers, cancer care centers, urgent care centers and imaging centers) may be licensed to show in their waiting rooms those Copyrighted Works presented as pre-recorded movies or video clips covered by the MPLC Producer’s list.
  - b. To qualify for such a license, the outpatient treatment center must either:
    - (1) be in a separate building from the hospital building; or
    - (2) have separate entrances, waiting rooms and services from the hospital.
  - c. Facilities with an outpatient treatment center that meets one of the conditions listed above and that would like to be licensed to show such Copyrighted Works in the center’s waiting rooms, may send requests to the Corp/Trademark IP mailbox at:

[Corp.Trademark/IPLegal@HCAHealthcare.com](mailto:Corp.Trademark/IPLegal@HCAHealthcare.com).

2. Corporate Training: Company’s MPLC license also permits Colleagues to incorporate Copyrighted Works presented as movies and clips that are covered by

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the MPLC Producer’s list into internal business presentations and/or view the movie at internal corporate events.

3. The movies or video clips or any portion of any form of Copyrighted Works thereof may NOT be duplicated.
4. The Copyrighted Works presented as movies or video clips must be purchased, rented, donated or otherwise legally acquired. Colleagues should never use movies or clips that have been downloaded illegally. We recommend against the use of movies or clips obtained from YouTube, unless the clip comes directly from the producer or owner.
5. If a Colleague wishes to show any Copyrighted Work that falls outside of the scope of the MPLC license, written approval must first be obtained from the copyright owner. A sample letter is attached to this Policy as Attachment B and may be edited as appropriate by the individual or facility requesting the right to redistribute/use the Copyrighted Work.

To determine if a title is covered by the MPLC Producers list, if there is any question on whether the type and/or uses of any content is covered by the CCC license or MPLC license, please e-mail [Corp.Trademark/IPLegal@HCAHealthcare.com](mailto:Corp.Trademark/IPLegal@HCAHealthcare.com).

**DEFINITION:**

**Copyrighted Works** are original works, including printed materials, movies and videos, music, photos and artwork, software programs and material on the internet. In general, a copyright protects the creative expression of an idea, instead of the underlying idea itself. For example: a piece of fruit may be photographed in numerous ways, yet similar photographs of the same fruit taken by different photographers may each be eligible for protection under Copyright Laws (and registration with the U.S. Copyright Office or other foreign copyright office).

**REFERENCES:**

1. Copyright Act, Title 17, United States Code (1976)
2. PC Software License Management Policy, [LL.IP.002](#)
3. [RightFind](#) (Copyright Clearance Center’s repository)
4. Attachment A: [Sample Notice](#)
5. Attachment B: [Sample Letter](#)
6. Responsible AI Policy, [EC.031](#)