

GRIEVANCE PROCEDURE FOR SECTIONS 1557 AND 504 COMPLIANCE

POLICY

It is the policy of The Kroger Co.'s and its subsidiaries' pharmacies and retail clinic locations ("Kroger") not to discriminate on the basis of race, color, national origin, sex, age or disability. Kroger has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by: (1) Section 1557 of the Affordable Care Act (42 U.S.C. § 18116) and its implementing regulations at 45 CFR part 92, issued by the U.S. Department of Health and Human Services ("Section 1557") and (2) Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) of the U.S. Department of Health and Human Services regulations implementing the Act ("Section 504"). Section 1557 prohibits discrimination on the basis of race, color, national origin, sex, age or disability in certain health programs and activities. Section 504 prohibits discrimination on the basis of disability in any program or activity receiving Federal financial assistance. Section 1557 and Section 504 and each section's respective implementing regulations may be examined in the office of Bill Shinton, Section 1557 Compliance Coordinator ("Section 1557 Coordinator"), 1014 Vine Street, 3rd Floor - Pharmacy, Phone 844-567-4377, Facsimile 513-762-1547, ACACompliance@kroger.com who has been designated to coordinate the efforts of Kroger to comply with Section 1557.

Any person who believes someone has been subjected to discrimination on the basis of race, color, national origin, sex, age or disability may file a grievance under this procedure. It is against the law for Kroger to retaliate against anyone who opposes discrimination, files a grievance or participates in the investigation of a grievance.

PROCEDURE

- Grievances must be submitted to the Section 1557 Coordinator within sixty (60) days of the date the person filing the grievance becomes aware of the alleged discriminatory action.
- A complaint must be in writing, containing the name and address of the person filing it. The complaint must state the problem or action alleged to be discriminatory and the remedy or relief sought.
- The Section 1557 Coordinator (or her/his designee) shall conduct an investigation of the complaint. This investigation may be informal, but it will be thorough, affording all interested persons an opportunity to submit evidence relevant to the complaint. The Section 1557 Coordinator will maintain the files and records of Kroger relating to such grievances. To the extent possible, and in accordance with applicable law, the Section 1557 Coordinator will take appropriate steps to preserve the confidentiality of files and records relating to grievances and will share them only with those who have a need to know.

Sections 1557 and 504 Grievance Policy

- The Section 1557 Coordinator will issue a written decision on the grievance, based on a preponderance of the evidence, no later than thirty (30) days after its filing, including a notice to the complainant of his or her right to pursue further administrative or legal remedies.
- The person filing the grievance may appeal the decision of the Section 1557 Coordinator by writing to the Chief Ethics and Compliance Officer. within fifteen (15) days of receiving the Section 1557 Coordinator's decision. The Chief Ethics and Compliance Officer shall issue a written decision in response to the appeal no later than thirty (30) days after its filing.

The availability and use of this grievance procedure does not prevent a person from pursuing other legal or administrative remedies, including filing a complaint of discrimination on the basis of race, color, national origin, sex, age or disability in court or with OCR. A person can file a complaint of discrimination electronically through the Office for Civil Rights Complaint Portal, which is available at <https://ocrportal.hhs.gov/ocr/portal/lobby.jsf>, or by mail or phone at:

U.S. Department of Health and Human Services
HHH Building, Room 509F
200 Independence Avenue SW
Washington, DC 20201

1-800-868-1019, 800-537-7697 (TDD)

Complaint forms are available at <http://www.hhs.gov/ocr/office/file/index.html>.

Such complaints must be filed within one hundred eighty (180) days of the date of the alleged discrimination. Kroger will make appropriate arrangements to ensure that individuals with disabilities and individuals with limited English proficiency are provided auxiliary aids and services or language assistance services, respectively, if needed to participate in this grievance process. Such arrangements may include, but are not limited to, providing qualified interpreters, providing taped cassettes of material for individuals with low vision or assuring a barrier-free location for the proceedings. The Section 1557 Coordinator will be responsible for such arrangements.