

Gifts and Business Courtesies (Zero Tolerance)

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| Department Area: | Organizational Integrity/Compliance |

1. PURPOSE

Employees of Health Pointe are responsible to conduct all business actions with honesty, integrity and fairness. The purpose of this policy is to establish guidelines for giving and receiving gifts, meals, entertainment or other items of value.

2. COMPLIANCE POLICY DEFINITIONS LOG

Gifts
Cash or Cash Equivalent
Education Event

3. GENERAL

It is critical to avoid any impropriety when giving or receiving gifts from individuals who do business or are seeking to do business with Health Pointe. Gifts or other incentives should never be used to improperly influence relationships or business outcomes. Relationships with vendors/contractors are intended to benefit our patients/members. Interactions should be focused on informing healthcare professionals and staff/contractors about products, providing scientific and educational information, and supporting medical education. Decisions made by Health Pointe personnel in the course of their work must be objective and based solely upon the best interest of Health Pointe. They should never be influenced by personal gain or gain to any personal associate (friend or family).

Under no circumstances may personnel solicit a gift, meal or entertainment. Nothing should be accepted in exchange for purchasing/using products or for a commitment to continue using products. Nothing should be accepted that would interfere with a healthcare professional's practice patterns or prescribing practices.

4. These guidelines apply at all times; they do not change during traditional gift-giving seasons or during the planning of a company event.

5. PHYSICIAN OR POTENTIAL REFERRAL SOURCE GIFTS

- 5.1. Personnel may not accept or give gifts of any kind.
- 5.2. Incidental Medical Staff Benefits. Incidental benefits may be provided to physicians as long as: they are available to all members of the Health Pointe medical staff of the same specialty, do not exceed \$32, and are not in the form of Cash or Cash Equivalents. Examples include: on-campus education, physician lounge access, meals/food, lab coat worn on-campus, complimentary

parking, etc.

- 5.3. Annual Medical Staff Appreciation Event. Health Pointe can offer one local medical staff appreciation event per year for the entire medical staff. Health Pointe will notify the compliance department of the event. Any gifts provided in connection with the event may not be accepted.

6. PATIENT, PATIENT'S FAMILY, OR HEALTH PLAN MEMBER GIFTS

- 6.1 Personnel may accept unsolicited gifts from patients or family members only if the gifts are perishable/consumable and shared with a department (for example, flowers, cookie tins, fruit baskets, etc.).
- 6.2 Personnel may not solicit tips, personal gratuities or gifts from patients or family members.
- 6.3 If an individual wishes to give a monetary or non-perishable gift, he/she should be directed to Compliance or the Executive Director.

7. Giving Gifts

- 7.1 Health Pointe may not give gifts to patients or family members.
- 7.2 Free items to patients provided in the course of patient care or service shortfalls/recovery (e.g., clinical preventative services, sleep sacks at patient discharge, gas cards for service shortfalls, etc.) are not considered gifts and therefore not covered in this policy. Please see policies referenced below for guidance on these situations.

8. VENDOR GIFTS

8.1 Gifts from/to Pharmaceutical and Medical Device Companies

- 8.1.1 Health Pointe has adopted the principles and guidelines established by the Advanced Medical Technology Association (AdvaMed)'s [Code of Ethics On Interactions With Health Care Professionals](#) and the Pharmaceutical Research and Manufacturers of America (PhRMA)'s [Code on Interactions with Health Care Professionals](#); therefore, personnel may not receive gifts from or give gifts to a pharmaceutical or medical device company.
- 8.1.2 Excluded from 7.1.1 above are modest meals provided by pharmaceutical or medical device companies during a *bona fide* independent, educational, scientific, and/or policymaking conference or activity that promotes scientific knowledge, medical advancement and the delivery of effective health care and is held on Health Pointe's Campus. (For clarifications or questions, please contact the Organizational Integrity and Compliance Department.)

8.2 Gifts from/to All Other Vendors

- 8.2.1 Personnel may never accept Gifts of any kind, nor may they be given to a vendor.

8.3 Vendor and/or Academic Institution-Sponsored Educational Event.

- 8.3.1 An exception from 7.1 and 7.2 of this policy includes: potential educational events/conferences. Health Pointe personnel may attend Educational Events, at the vendor or academic institution's expense (including travel, lodging, vendor materials given during the conference, modest meals and receptions where appropriate), with the prior written consent of the Executive Director (see Attachment A to be completed and returned to OrganizationalIntegrity@SpectrumHealth.org). Any Gift(s) offered while in attendance at the Educational Event may not be accepted. Educational Event(s) outside of the continental United States are not permitted without prior written approval from Health Pointe's President in consultation with the compliance department. Academic Institutions would include universities, colleges, and other similar teaching establishments.

9. EXCEPTIONS TO THIS POLICY

The Executive Director in consultation with Compliance may make written exceptions to this Policy, if, in the judgment of the Executive Director, and in consultation with Compliance, the best interests of Health Pointe would be served by granting such an exception within the limits of the law.

9.1 Other Exceptions

9.1.1 This Policy does not apply to Gifts from Health Pointe to personnel. However, Cash or Cash Equivalent Gifts (e.g., gift cards) must be reported to Health Pointe Payroll for tax purposes.

9.1.2 This Policy does not apply to Gifts from personnel to personnel.

10. POLICY VIOLATIONS

Any person in violation of this policy is subject to performance correction, up to and including termination.

11. REVISIONS

Health Pointe reserves the right to alter, amend, modify or eliminate this policy at any time without prior written notice.

12. REFERENCES

Gift Tracking Database, Additional Professional Income Policy, Transportation Policy, Clinical Preventative Services Policy, Utilization of Care Funds Policy, Offering Education and Other Events to Private Practice Physicians Policy, Vendor Philanthropy Policy, Travel and Expense Reimbursement Policy.

13. POLICY DEVELOPMENT AND APPROVAL

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14. KEYWORDS

gifts, gift, free stuff, Gift, Business Courtesy, Meal, Legal, Inducement, Anti-Kickback, Business Associate, Cash, Compliance, Gift Card, Inducement, Present, Stark, Solicit, Vendor, Physician, Employee, Education.

HEALTH POINTE EDUCATIONAL EVENT APPROVAL FORM

Health Pointe’s Gift & Business Courtesies Policy (the “Policy”) generally prohibits personnel from receiving Gifts (see the Policy for a definition of “Gifts”) However, Health Pointe recognizes that in some instances it is beneficial to permit personnel to attend an Educational Event(s) that promotes scientific knowledge, medical advancement and the delivery of effective health care.

15. In connection with the Health Pointe personnel attendance at _____
 _____(please insert the name of the Educational Event), Health Pointe and the personnel will receive the following items or services of value from____
 _____(please insert name of organization):

(Please check all of the items that the vendor, potential vendor, or academic institution will pay for on behalf of the Health Pointe Personnel. If there are additional items which are not currently listed, please add them as appropriate).

- 16. _____ Air transportation to and from the Educational Event;
- 17. _____ Ground transportation to and from the Educational Event;
- 18. _____ Any registration or entry fees needed to access the Educational Event;
- 19. _____ Any accommodations the Health Pointe personnel may need in order to perform any type of service(s) offered at the Educational Event;
- 20. _____ Modest Meals;
- 21. _____ Gratuities/tips;
- 22. _____ Parking; and
- 23. _____ Other (please describe): _____

24. Please state the business purpose or other considerations for attendance: _____

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| ACKNOWLEDGEMENT OF ABOVE BY HEALTH POINTE PERSONNEL: | APPROVAL OF EXECUTIVE DIRECTOR): |
| Signature: | Signature: |
| Printed Name: | Printed Name: |
| Date: | Date: |