

UNIVERSITY HEALTHCARE ALLIANCE	Approval Date: 4/2/13 Revision Date: Approval Signature: _____
Policy Name: Offering and Accepting Gifts (Employees) Policy Number: CG-11 (Compliance - General)	Page 1 of 3

I. PURPOSE

To define and provide guidelines regarding when it is appropriate for University HealthCare Alliance (“UHA”) employees and contractors to give and accept gifts from patients or their families and vendors not otherwise covered by the Interactions with Pharmaceutical, Biotech, Medical Device and Related Industries (Industry) Policy.

II. POLICY STATEMENT

There are significant ethical issues surrounding the giving and receiving gifts whether it is from those we do business with or those from well-meaning patients and family members. Specifically, offering or receiving gifts may inappropriately influence clinical and/or business decisions. Therefore, it is UHA’s policy that employees and contractors may give or receive gifts from vendors or patients and their families under the limited circumstances described below.

III. SCOPE

This policy applies to all UHA workforce members.

IV. PROCEDURES

A. General

1. Under no circumstances should a UHA workforce member solicit gifts or special favors from patients, their family members or vendors.
2. Even as permitted below, UHA workforce members may not accept cash or cash equivalents.
3. Any gifts received must be reported to a direct supervisor.
4. Employees and/or supervisors should consult with the UHA Director of Compliance for guidance as necessary when accepting or offering gifts.

B. Gifts to UHA Employees/Contractors from Patients/Family Members

1. UHA employees and contractors may accept gifts of nominal value from patients or their family/friend provided they are shared with all staff. Examples include food, flowers and similar items.
2. UHA employees and contractors may not accept personal gifts designated for individual use or consumption from patients, family members or vendors.

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C. Gifts from Vendors

1. Because of the potential for conflicts of interest, gifts from pharmaceutical, medical device or medical supply “Industry” vendors may not be accepted. (See, *Interactions with Pharmaceutical, Biotech, Medical Device or Medical Supply Industries Policy*).
2. UHA workforce members may accept gifts of nominal value from non-Industry vendors provided they are shared with all staff. However, UHA employees or contractors may not accept any gifts if accepting that gift would unduly influence contract negotiations or future business.
3. Non-industry sponsorship of work-related activities is permissible with appropriate approval. Contact the UHA Director of Compliance for additional guidance.

D. Gifts to Patients/Family Members. UHA may not induce Medicare, Medi-Cal or other federal or state healthcare beneficiaries to use UHA services by offer gifts that would likely influence these beneficiaries to obtain services from UHA. However, UHA may give patients and/or their family member’s inexpensive gifts of nominal value that are not cash or cash equivalents. Federal guidelines define “inexpensive” as having a retail value of no more than \$10 per item or \$50 in aggregate per patient annually.

E. Gifts from UHA to Employees. UHA may offer reasonable gifts purchased with organizational funds to employees. UHA cannot offer gifts to contractors. Gifts that exceed the amount allowed by federal IRS laws become taxable income for the recipient and must be reported to UHA payroll.

F. Gifts to UHA from Patients/Family Members or Vendors. Individuals or vendors that inquire about gift giving opportunities for UHA should be referred to UHA’s Chief Administrative Officer.

G. Gifts to/From Physicians and other Referral Sources

1. Gifts to and from physicians are acceptable only as described under UHA’s Gifts/Non-Monetary Compensation Policy (Physicians) Policy.
2. UHA may not accept gifts from other referral sources in exchange for patient referrals or other business. (See Anti-kickback policy)

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V. RELATED DOCUMENTS/POLICIES

- A. Conflict of Interest and Commitment Policy
- B. Interactions with Pharmaceutical, Biotech, Medical Device and Related Industries (Industry) Policy
- C. Gifts/Non-Monetary Compensation Policy (Physicians) Policy
- D. Anti-kickback Policy