

## Conflict of Interest Policy 106 Update for Members of the Captive, Board and Foundation and any other related Committees

- A member has the responsibility to identify and self-report any potential or real Conflicts of Interests (as defined in Policy 106) that impact their job or position within the organization
  - At the time of hire;
  - Prior to contract, negotiation or selection of vendors or health care providers for goods and services;
  - Prior to initial placement and during service on Mercy Health and Mercy Health Affiliated Captive LTD, Boards, Foundations and/or related committees;
  - As conflicts arise during the course of day-to-day services and business activities; or
  - Prior to discussions and decision-making
- All members of Mercy Health or Mercy Health Captive, Board, Foundation and/or related Committees are required to complete annual Conflict of Interest Disclosure Certificates.
- Potential conflicts can involve financial and non-financial interests, relationships as well as adverse legal events. Good faith efforts should be made to avoid Conflicts of Interest and the “appearance of conflict.”
- A majority of the Mercy Health and Mercy Health Affiliated Boards of Trustees may not, at any time, have Conflict of Interests. The Policy clarifies financial conflicts and the process for conflict management and recusal (refer to Policy 106 Definitions # 1,4,5,9; 106.2 thru106.4)
- The Mercy Health Board Committee responsible for executive compensation will be free of Financial Interests that conflict with their services. As of January 1, 2012 exceptions may not be considered from such Committee members.
- Gifts, gratuities or exclusive opportunities (e.g. Super Bowl tickets) offered by current or potential business partners are to be reported under the Conflict of Interest Policy. In particular,
  - Items or services valued at or above \$100 must be disclosed on the Conflict of Interest Disclosure Certificate
  - Items or services valued more than \$300 per item or occasion or totaling more than \$300 in aggregate from any one individual or entity in a calendar year must be declined
- All Board and Board Committee members must complete an annual COI to be seated. Members will not be permitted to participate until the COI is completed.

## Common Examples of Reportable Conflicts and Gifts and Gratuities Under Conflict of Interest Policy 106 for Members of the Captive, Board and Foundation and any other related Committees

- Family member(s) who work for Mercy Health or Mercy Health Affiliated entities;
- Family member(s) who work for companies competing with Mercy Health or Mercy Health Affiliated entities;
- Other board/committee service or consulting services performed by the Member with an outside company or provider that may provide services to Mercy Health or Mercy Health Affiliated entities;
- Other board/committee service or consulting services performed by the Member with an outside company or provider that may compete with Mercy Health or Mercy Health Affiliated entities;
- Personal or family member ownership or investment interests in an outside company competing and/or providing goods and service to Mercy Health or Mercy Health Affiliated entities;
- Offers of money, gifts, meals, payment of any kind (cash or anything of value) or exclusive opportunities in exchange for referrals or access to business opportunities. **Note:** This type of conflict is a prohibited activity under Federal and State Anti-Kickback Law and Stark Law (for physicians);
- Offers of free services, deeply discounted services, all-expense paid travel, seminars or donations by current or potential business partners in exchange for endorsement of company product or services;
- Knowledge of confidential information that provides the individual an “inside advantage” that could result in personal gain or profit by the individual or family member if they would act on the information for outside investment or ownership opportunities;

**If you are unsure if an offer or gift is a conflict, contact the Mercy Health Corporate Responsibility Officer at 513-952-4740 or [clrice@mercy.com](mailto:clrice@mercy.com) for assistance.**