

PEACEHEALTH SYSTEM • All PeaceHealth Divisions (PHDs)		Title: Acceptance of Gifts FAQs		
		Dept: Organizational Integrity		
Effective: 3/1/2017	Next Review: 2/11/2019	Document #: ADM-0532	Version #: 3	Page #: 1 of 6

The answers to these frequently asked questions apply to members of the PeaceHealth covered personnel.

SUPPORTS: ADM-0491 Acceptance of Gifts Policy

Q1. To whom does PeaceHealth’s gift policy and procedure apply?

- A1. The policy applies to the PeaceHealth Covered personnel, which includes:
- Caregivers, providers (employed and non-employed), volunteers, and trainees;
 - Members of the PeaceHealth System Board;
 - Members of Network and Community Boards;
 - Members of Foundation Boards
 - Committees with board-delegated powers;
 - System and Community officers;
 - Vice presidents and directors;
 - Employed providers;
 - Any prescribing provider relative to pharmaceutical companies;
 - Those with contracting authority; and
 - PeaceHealth representatives on its joint ventures’ boards

Q2. Why must I be concerned about asking for or receiving a Gift?

- A2. While many vendors provide gifts to organizations or organizational representatives, the practice has been shown to influence decision-making and create a sense of obligation. In the healthcare industry, these gifts influence clinical care and increase costs. With the implementation of the Open Payments or “Sunshine” Act, vendor gifts to certain health care professionals are now reported in a publically-accessible database. Most importantly, accepting gifts from vendors or others who want to influence our decisions is not consistent with PeaceHealth’s values.

Q3. What is PeaceHealth’s definition of a gift?

- A3. A Gift is any item that has value attached to it. Gifts include cash, cash equivalents such as gift certificates or checks, grants, scholarships, education funding, meals, lodging, transportation, tickets to sporting, cultural or community events, preferential treatment, subsidies, discounts, waivers, funds, loans, art objects, sponsorships, prizes, or any other item for which compensation at fair market value is not given or received. Common gifts from vendors include items of promotional value such as pens, paperweights, note pads,

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clocks, coffee mugs, and other items that are branded with the vendor's name and/or logo.

Q4. A vendor has offered to take my spouse and me to a ball game. May we attend?

A4. Covered personnel who accepts a Gift is required to document the source, value, and circumstances related to the Gift if it is valued over \$50. Such documentation will be disclosed on the covered personnel's annual conflict of interest disclosure or, if the covered personnel is not required to file an annual conflict of interest disclosure or the Gift was a perishable or consumable item valued over \$50 that was shared with the department, the recipient will maintain the record for a period of two years and make the record available for a compliance audit upon request from Organizational Integrity.

Q5. I am a PeaceHealth provider and pharmaceutical representatives sometimes give us perishable or consumable items. May I accept these?

A5. A gift of perishable or consumable items such as those given during holidays may be accepted and shared with members of the recipient's department. If value is greater than \$50 see answer A4 for details.

Q6. Can I ask a vendor to donate to a caregiver's personal celebration or event such as a birthday party at the workplace?

A6. No. Personal donations are prohibited. You should never solicit any type of donation.

Q7. I attended a professional association meeting where a vendor booth had reprints of a recent publication available. Can I take one of the reprints?

A7. Yes. Items that serve a genuine educational purpose and that are not solely promotive of a vendor's products may be accepted. When these items are accepted, they should be shared with others in your department when possible.

Q8. I am not in a position with decision-making authority. Does that mean that the policy does not apply to me?

A8. Yes. The policy **does** apply to you.

Q10. Can a vendor pay me a consulting fee and all travel and related expenses to attend a vendor sponsored event in order for me to provide input on a vendor product or service?

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A10. Maybe. If you are attending as a PeaceHealth representative evaluating a product or service that we may be interested in, you may not accept expense coverage from the vendor. PeaceHealth will cover necessary expenses. If you are doing work for the vendor in evaluating and reporting on a product or service, you may accept a reasonable fee for this. However, you will need to follow the requirements of the [Outside Activity/Outside Compensation](#) policy to receive approval for this work. In addition, you will need to use your vacation or other leave time during this work. If you perform the work while being paid by PeaceHealth, you must relinquish the consulting fee to your department.

Q11. Can a vendor make a donation to a PeaceHealth-related foundation?

A11. Yes. A vendor can make a donation to a PeaceHealth-related foundation. The foundation can use those funds as permitted according to foundation policies.

Q12. The policy has an exception for those who are representing PeaceHealth for a product, service, and/or project evaluation activity, business negotiation, or other event. What does “representing PeaceHealth” mean?

A12. Representing PeaceHealth means that you are making an authorized appearance in an official capacity on behalf of PeaceHealth. Your supervisor or other PeaceHealth leader may have asked you to attend to represent PeaceHealth’s interests.

Q13. Can I accept a \$5 coffee card from a vendor?

A13. No. PeaceHealth covered personnel may not accept Cash or Cash Equivalents from a vendor, patient, patient family member, or other person or entity with which PeaceHealth has an association. A coffee card with a dollar amount is considered cash equivalent.

Q14. Sometimes a grateful patient will bring in a plate of homemade cookies or similar goodie. Can we accept these gifts?

A14. Yes. The patient should be graciously thanked and the goodies shared with everyone in your department or area.

Q15. Pharmaceutical companies sometime provide free samples of their drugs. Can we accept these?

A15. Yes. However, the medications we accept have specific restrictions and there are strict requirements related to accounting for and tracking these samples. See the [Medication Samples](#) policy for more information.

Q16. A consultant wants to take me to lunch so that we can conduct business during the lunch hour. This is the only time I have available. May the consultant pay for lunch?

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A16. Yes. In this case, you would be representing PeaceHealth in a business meeting and may accept food and beverages of Modest Value expense.

Q17. I am presenting at a professional meeting and have been offered expense reimbursement and an honorarium. Can I accept this?

A17. Yes. If you are presenting, you may accept expense reimbursement and a reasonable honorarium. However, you will need to follow the requirements of the Outside Activity/Outside Compensation policy to receive approval for this work. In addition, you will need to use your vacation or other leave time during this work. If you perform the work while being paid by PeaceHealth, you must relinquish the honorarium to your department. Honoraria for attendance only are not permitted.

Q18. What if I have other questions about the PeaceHealth Gift Policy or a specific situation that involves the request or acceptance of a Gift?

A18. Contact your Network Organizational Integrity Officer.

Q19. Can PeaceHealth caregivers accept gifts from other PeaceHealth caregivers?

A19. Yes. The gift policy only applies to gifts from non-PeaceHealth entities. It does not apply to gifts given by a PeaceHealth caregiver to another PeaceHealth caregiver, such as giving your best friend who also works for PeaceHealth a birthday present with personal funds.

Q20. The scope of the PeaceHealth Acceptance of Gifts policy indicates that it applies to the PeaceHealth Workforce but some sections appear to apply to my relatives as well as to me. Which relatives are included and how can this policy apply to them?

A20. The policy applies to members of the PeaceHealth Workforce as defined below. However, your position or relationship with PeaceHealth may be placed in jeopardy if you, your spouse, registered domestic partner or domestic partner, or your dependent children accept a Gift in violation of the PeaceHealth Acceptance of Gifts policy.

Q21. The policy allows me to occasionally accept food from a vendor. What are the guidelines around that?

A21. The meal is provided in conjunction with an education or business presentation or discussion; the meal is Modest in value (no greater than \$50); and, the meal occurs in a setting that is conducive to the discussion of business such as a restaurant and not a sports or entertainment venue.

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DEFINITIONS:

Gift: Something with financial value offered or given for no or below market value. This includes but is not limited to cash, gift cards and gift certificates; items of token value such as notepads, pens, coffee mugs, clocks, or similar promotional items; food; beverages; cruises; travel; and entertainment such as tickets to theater or sporting events, movies, concerts, or similar events. The definition excludes informational material, publications, or subscriptions related to the PeaceHealth covered personnel's official duties.

Honoraria: Money or other items of monetary value provided for presentations, serving on panels, mediating events or similar work.

Institutional Gift: Something with financial value provided to PeaceHealth or any of its sub-parts. Such gifts include monetary funds, sponsorship of educational events, textbooks, subscriptions, equipment, devices, and similar gifts of value in promoting one or more of PeaceHealth's missions.

Modest value: No greater than \$50 in value.

Nominal value: No greater than \$10 in value.

Covered Personnel: Caregivers, volunteers, trainees and other persons whose conduct, in the performance of work for PeaceHealth, is under the direct control of PeaceHealth, whether or not they are paid by PeaceHealth.

Product, Service, and/or Project Evaluation Activity: Activity, participation, or other effort associated with evaluation of a product, service, project, or potential business arrangement, where the final decision to purchase the item or service or initiate the project has not been made or where additional education about the product, service, or project is needed to meet obligations in a business agreement.

Relative: The spouse, registered domestic partner, domestic partner, or dependent child of a member of the PeaceHealth covered personnel with decisional authority.

Representing PeaceHealth: A PeaceHealth Member who attends a meeting, event, business negotiation, product evaluation, or similar activity in his/her official PeaceHealth capacity as a part of his/her PeaceHealth position and responsibilities is representing PeaceHealth.

Vendor: An industry or business, or a contractor or representative of an industry or business, that currently have a business relationship with PeaceHealth or is seeking a business relationship with PeaceHealth. This includes but not limited to, a business that is selling products or services to PeaceHealth, is seeking to sell products or services to PeaceHealth, or is seeking

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product/service endorsement or similar services from a member of the PeaceHealth covered personnel.

Vendor Fair: An event, on or off PeaceHealth premises, where a vendor or several vendors provide information related to their products and/or services.