

POLICY AND REGULATIONS MANUAL

TITLE: GIFTS

PURPOSE: To provide guidelines regarding giving and receiving Gifts by Workforce members.

POLICY STATEMENT:

Harris Health System Workforce members are prohibited from receiving Gifts from other Workforce members, Vendors, or patients that may compromise, may appear to compromise, or may have been given with the intent to influence:

- (1) The Workforce member's business judgment;
- (2) The delivery of patient care; or
- (3) The Workforce member's performance of his or her job.

Harris Health System Workforce members are prohibited from giving Gifts unless specifically allowed in this policy.

POLICY ELABORATION:

I. DEFINITIONS:

- A. **GIFT:** Anything of value that is received by a Workforce member. Gifts may include, but are not limited to: monetary Gifts (cash, checks, gift cards, securities, subsidies, honoraria) or non-monetary Gifts (meals, real property, personal property, patient referrals, goods, favors, services, business or professional activities, memberships, tickets).
- B. **MEDICAL STAFF:** All physicians, dentists, podiatrists and oral-maxillofacial surgeons who are appointed to the Medical Staff and who either (1) hold a faculty appointment at Baylor College of Medicine and/or The University of Texas Health Science Center at Houston or (2) are employed by Harris Health System to provide healthcare services at designated Harris Health System facilities. Medical school faculty appointment status is not required for locum tenens or medical staff employed by Harris Health System.
- C. **RELATIVE:** Individuals including, but not limited to, a Workforce member's fiancé, spouse, significant other, parents, step-parents, siblings, stepbrothers, stepsisters, children, adopted children, stepchildren, mothers- and fathers-in-law, sons- and daughters-in law, and brothers- and sisters-in-law.

POLICY AND REGULATIONS MANUAL

- D. **VENDOR:** A company/manufacturer/firm/individual providing a product, equipment, or service to Harris Health System.
- E. **WORKFORCE:** Harris Health System employees, trainees, contractors, including consultants, and volunteers. For purposes of this policy “Vendor” has been stricken. This definition includes the President and Chief Executive Officer (CEO), the Chief Operating Officer (COO), and other supervisory staff.

II. APPLICATION:

- A. This policy applies to Workforce members.
- B. This policy does not apply to members of the Board of Managers who must comply with the Texas Local Government Code Chapters 171 and 176.
- C. This policy does not apply to Medical Staff members. However, Medical Staff members are required to adhere to the applicable policies of their respective affiliated organizations (*e.g.*, Baylor College of Medicine or The University of Texas Health Science Center at Houston).

III. GUIDELINES:

A. General:

Harris Health System Workforce members are prohibited from receiving Gifts that may compromise, may appear to compromise, or may have been given with the intent to compromise:

1. The Workforce member’s business judgment;
2. The delivery of patient care; or
3. The Workforce member’s performance of his or her job.

B. No Solicitation:

Workforce members are strictly prohibited from soliciting Gifts from patients, Vendors, other Workforce members, or Medical Staff members, except as allowed by Harris Health System Policy 3.02 Employee Solicitation and Harris Health System Policy 3.24 Vendor Solicitation.

POLICY AND REGULATIONS MANUAL

C. Gifts to/from Patients.

Workforce members are prohibited from accepting cash or cash equivalent items (e.g. gift cards) from patients. If a patient wishes to give money to Harris Health System, the patient should speak with a Harris Health System Administrator or a representative of the Harris Health System Foundation. Workforce members are strongly discouraged from accepting Gifts from patients. Workforce members may accept perishable Gifts (e.g., food and flowers) from patients if the Gifts are shared with the Workforce member's department or unit. Workforce members may also accept Gifts made by patients (e.g., knitted scarf, headband, tote bag, wood carving) of a nominal value (less than fifty dollars - \$50). However, if a patient has a pattern of giving Gifts to a Workforce member(s), the patient should be notified that the Workforce member(s) cannot continue to receive the Gifts. Workforce members are prohibited from giving personal Gifts to patients. Harris Health System may give promotional Gifts or Gifts related to patients' health maintenance if the Gifts have been approved by the Corporate Compliance Officer.

D. Gifts to/from other Workforce members or Medical Staff members:

Workforce members may give and accept Gifts to/from other Workforce members or Medical Staff members, of any amount, if the Gift does not compromise, appear to compromise, and was not given with the intent to influence:

1. The Workforce member's business judgment;
2. The delivery of patient care; or
3. The Workforce member's performance of his or her job.

E. Gifts to/from Vendors:

Workforce members are prohibited from accepting cash or cash equivalent items (e.g. gift cards) from any Vendor. Workforce members may accept individual non-monetary Gifts, including meals, valued at less than fifty dollars (\$50.00) from a Vendor, for an aggregate total of no more than two hundred and fifty dollars (\$250) per Vendor per Harris Health System fiscal year in which the Gifts were received. However, Gifts from Vendors may not compromise, appear to compromise, or be given with the intent to influence:

1. The Workforce member's business judgment;

POLICY AND REGULATIONS MANUAL

2. The delivery of patient care; or
3. The Workforce member's performance of his or her job. Workforce members may not participate in any Vendor sponsored or "paid for" golf tournament, hunting trip, fishing excursion, or other like event. Workforce members are prohibited from accepting tickets of any kind (*e.g.*, sports and entertainment events) from a Vendor. Workforce members are prohibited from giving Gifts to Vendors.

F. Gifts to Other Third-Parties:

Workforce members are prohibited from giving Gifts to third-parties not otherwise addressed in this policy if the Gift compromises, appears to compromise, or is given with the intent to compromise the third-party's business judgment as it relates to Harris Health System.

G. Travel or Training Expenses from Vendors:

Workforce members must obtain the approval of their Executive Vice President before accepting a Gift of travel, training, meals associated with the travel, honoraria (payment to a guest speaker at a conference to cover the speaker's travel, lodging, or preparation expenses), or lodging expenses from a Vendor. The Executive Vice President must consult with the Corporate Compliance Officer before approving acceptance of this type of Gift.

H. Exceptions:

Exceptions to this policy must be approved by the Chief Executive Officer following consultation with the Corporate Compliance Officer.

I. Questions:

Questions regarding giving or acceptance of Gifts may be addressed to the Harris Health System Office of Corporate Compliance.

