

HARRIS HEALTH SYSTEM

POLICY AND REGULATIONS MANUAL

Policy No: 3.61
Page Number: 1 of 6
Effective Date: 08/2014
Board Motion No: NA
Last Review Date: 08/19/2019
Due For Review: 08/19/2022

TITLE: GIFTS

PURPOSE: To provide guidelines regarding giving and receiving gifts by workforce members.

POLICY STATEMENT:

Harris Health System (Harris Health) 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:

- A. The workforce member's business judgment;
- B. The delivery of patient care; or
- C. The workforce member's performance of his or her job.

Harris Health 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 to provide healthcare services at designated Harris Health facilities. Medical school faculty appointment status is not required for locum tenens or Medical Staff employed by Harris Health.

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- 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.
- D. **VENDOR:** A company/manufacturer/firm/individual providing a product, equipment, or service to Harris Health.
- E. **WORKFORCE:** Harris Health 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 Trustees 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 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.

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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*.

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, the patient should speak with a Harris Health pavilion administrator or a representative of the Harris County Hospital District Foundation.

Workforce members are strongly discouraged from accepting non-monetary 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 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, 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;

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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) from a Vendor, for an aggregate total of no more than two hundred and fifty dollars (\$250) per Vendor per Harris Health 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;
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.

Workforce members may attend local training events paid for by a vendor. However, any associated Gifts, including meals, must be valued at less than fifty dollars (\$50). Workforce members may not accept lodging expenses from a Vendor for a local training event.

F. Gifts to or from Other Third-Parties:

Workforce members are prohibited from giving or receiving Gifts to or from 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.

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, 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's Office of Corporate Compliance.

REFERENCES/BIBLIOGRAPHY:

Texas Local Government Code, Chapters 171 and 176

Harris Health System Code of Conduct

Harris Health System Policy and Procedures 3.42, Conflict of Interest

Harris Health System Policy and Procedures 3.02, Employee Solicitation

Harris Health System Policy and Procedures 3.24, Vendor Solicitation

OFFICE OF PRIMARY RESPONSIBILITY:

Harris Health System Office of Corporate Compliance

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REVISION HISTORY:

Effective Date	Version # (If Applicable)	Review or Revision Date (Indicate Reviewed or Revised)	Review or Approved By: (If Board of Managers Approved, Include Board Motion #)
08/12/2014	1.0	Approved 08/12/2014	Operations Policy Committee
	2.0	8/19/2019 Expedited Executive Approval via Rapid Cycle	CEO
		Required Post-Approval Rapid Cycle Review Complete 03/10/2020	Structure and Organizational Standards Committee