

HARRISHEALTH SYSTEM

POLICY AND REGULATIONS MANUAL

Policy No: 3.24
Page Number: 1 of 9
Effective Date: 01/25/2007
Board Motion No: 07.1-56
Last Review Date: 07/30/2020
Due for Review Date: 07/30/2023

TITLE: VENDOR MANAGEMENT AND SUPERVISION POLICY

PURPOSE: To ensure Vendor Sales Representatives entering and/or contacting Harris Health System for the purpose of conducting business with Harris Health System Workforce members, affiliates, and patients comply with the organization's expectations of maintaining patient confidentiality; a safe environment for the delivery of healthcare; regulatory standards; institutional requirements; and uninterrupted patient care and facility operations.

POLICY STATEMENT:

Harris Health System (Harris Health) researches the market for new products, ideas, and sources to improve patient care and minimize costs. Harris Health desires relationships with Vendors that conduct all activities with integrity and in accordance with the highest ethical and legal standards. This policy establishes protocols, which will ensure uniformity in Vendor Sales Representative visits, their roles and responsibilities, as well as, those of the Harris Health Workforce members and affiliates. Other purveyors of services will be managed contractually on a case-by-case basis.

POLICY ELABORATIONS:

I. DEFINITIONS:

- A. **EVALUATION COORDINATOR:** The individual authorized by Harris Health to conduct and monitor product evaluations on behalf of Harris Health including, but not limited to Materials Management, Biomedical Engineering, Facilities Management Department Engineering, Pharmacy, Nursing, Perioperative Services, Radiology, Cardiology, or Information Technology departments.
- B. **PRODUCT EVALUATION:** The process by which a uniform trial and appraisal of supplies, equipment, and/or software is performed to determine the item(s) with the maximum value, which meet the needs of Harris Health.
- C. **VENDOR:** A company/manufacturer/firm/individual providing a product, equipment, or service to Harris Health.

POLICY AND REGULATIONS MANUAL

- D. **VENDOR SALES REPRESENTATIVE:** A bona fide individual who represents a Vendor desiring to solicit approval for a product, equipment, or service to be used by Harris Health, its Workforce, affiliates, and patients.
- E. **WORKFORCE:** Employees (permanent or temporary), Board Managers, volunteers, trainees, and other persons whose conduct in the performance for work for Harris Health, is under the direct control of Harris Health, whether or not they are paid by Harris Health.

II. ETHICS AND COMPLIANCE:

- A. Harris Health may not contract with any individual or company who has been convicted of a criminal offense related to health care, or who is listed by any state or federal agency as debarred, excluded, or otherwise ineligible for participation in state or federally funded healthcare programs. The Vendor agrees to comply with the Certificate of Eligibility to Participate in Federal and State Health Care Programs in accordance with 42 U.S.C. § 1320a-7. The Vendor is responsible for alerting Harris Health and the Harris County Purchasing Office (“Purchasing Office”) as to their ineligibility to participate.
- B. Vendor Sales Representatives, Vendors, or anyone on the Vendor’s behalf, as well as any person associated with Harris Health or its affiliates, are prohibited from offering, giving, soliciting, or accepting any money, services, or other items of value with the expectation of influencing the judgment or decision making process of the Vendor or any person associated with Harris Health or its affiliates.
- C. Vendor Sales Representatives, Vendors, or anyone on the Vendor’s behalf, as well as any person associated with Harris Health or its affiliates, must comply with Harris Health Policy 3.61, Gifts.
- D. At the time of product/equipment/supply evaluation, the Vendor Sales Representative or Vendor shall disclose relationships with Harris Health, its affiliates, and its Workforce in writing. The failure to disclose relationships may result in disqualification and criminal prosecution pursuant to the provisions of the Texas Local Government Code Chapter 176.

- E. Vendor Sales Representatives agree to comply with all applicable federal and state laws concerning privacy, security, and confidentiality of patient health information, including but not limited to the Health Insurance Portability and Accountability Act (“HIPAA”) and regulations issued there under. Any information a Vendor Sales Representative may hear, see, or learn in any area of Harris Health shall be held in strict confidence. If it is discovered that a Vendor sales representative has breached this confidentiality, the Vendor’s corporate office shall be notified in writing that their representative no longer has sales privileges at any Harris Health facility and it expected that the Vendor cooperate with Harris Health in any investigation related to the breach.
- F. Harris Health utilizes a Vendor credentialing company to assist in orienting Vendors and their representatives to any policies or prerequisites that must be satisfied to gain access to Harris Health facilities, Workforce, and physicians. Vendors and or their representatives acting on their behalf that are unwilling to provide information to or review information provided to the Vendor credentialing company by Harris Health will not be granted access to Harris Health facilities or Workforce.

III. CONFLICT OF INTEREST

- A. Harris Health Workforce members, Board Members, and affiliates shall refrain from activities that could be construed as conflict of interest, in particular focusing on products and medical devices wherein the purchase or use of said devices would bring benefit to the purchasing individual or department with disregard for the patients.
- B. Harris Health Workforce members, Board Members, and affiliates involved in the product or Vendor selection process shall disclose in writing as frequently as necessary all departmental or institutional conflicts of interest including, but not limited to, any disclosure statements required by the Texas Local Government Code.
- C. Harris Health Workforce members, Board Members, and affiliates will disclose in writing as frequently as necessary all activities with potential for financial gain, e.g. stock ownership, speaking honoraria, consultancies, research contracts, or grants.

- D. If Harris Health Workforce members, Board Members, or affiliates believe there may be a conflict of interest, he or she shall refrain from voting on pharmaceutical and Product Evaluations, and product standardization.

IV. VENDOR REGISTRATION AND RESPONSIBILITIES

- A. Harris Health Workforce members, affiliates, and patients are not required to meet with Vendors and may refuse to meet any Vendors not wearing a Harris Health issued vendor badge. If the Vendor refuses to comply, Harris Health security should be notified.
- B. The Vendor Sales Representative shall not call on any Harris Health department or Workforce member other than those pre-arranged by appointments.
- C. The following Harris Health departments are responsible for ensuring Vendors have registered with the Vendor credentialing company based on the Vendor's product line: Supply Chain Management, Pharmacy, Perioperative Services, Cardiology or other areas as specified by facility administration.
- D. On each visit, Vendor Sales Representatives who do not have contact with patients are required to go to designated areas to obtain a vendor badge. Vendor Sales Representatives who are entering procedural or sterile patient areas must go to the Operating Room to check in and obtain a vendor badge. Vendor Sales Representatives at other facilities should proceed to check in and obtain a vendor badge as directed by signage.
- E. The vendor badge shall be dated and printed by the Vendor credentialing system and must be visible at all times and worn on the upper body. The badge shall indicate the area to which the Vendor Sales Representative is allowed to visit.
- F. All Vendor Sales Representatives are required to wear the Harris Health issued vendor badge in plain sight, at all times while in a Harris Health facility. The badge shall include the location of the scheduled visit, the date and time, and the individual or department to be visited. At the sole discretion of Harris Health, a vendor badge may be issued through the Security Office for a Vendor Sales Representative who will be on-site for an extended period.

- G. Vendor Sales Representative must have the approval of the appropriate Harris Health department to set-up product displays.
- H. Vendor Sales Representative who are not escorted by a Harris Health Workforce member may not be in patient care areas without a vendor badge, including surgery, pharmacy, nursing units, etc., and may be asked to obtain a vendor badge or leave the premises.
- I. Vendor Sales Representatives who are allowed access to patient care areas must follow department procedures where applicable.
- J. Vendor Sales Representatives may not touch patients at any time with limited exceptions:
 - 1. A waiver must be signed by the Vendor and the Harris Health department representative and kept on file in the department; and
 - 2. A Harris Health Workforce member must be present while Vendor is touching patient.
- K. Vendor Sales Representatives may not attend programs in which specific patients are discussed or when quality assurance or risk management issues are presented.
- L. Facilities Planning and Facilities Engineering manage contractors coming onsite by providing a vendor or project orientation to initiate a project. The company must complete all details for their onsite contract employees, including but not limited to, providing proof that immunizations and TB testing are current. These contractors receive orientation through Harris Health contractor orientation and obtain a Harris Health ID Badge through Harris Health Security.
- M. Failure to comply with Harris Health vendor rules will result in dismissal from the premises, and the Vendor Sales Representative shall be escorted off the premises by Harris Health security. Repetitive or egregious violation of the rules may result in the Vendor no longer being permitted in Harris Health facilities.

V. DELIVERY OF PRODUCTS/EQUIPMENT

- A. A Harris Health “No Cost Purchase Order” indicating the product(s) or device(s), models and product numbers must be generated prior to the start of an evaluation unless otherwise approved by the Harris County Purchasing Agent or designee. The Harris Health “No Cost Purchase Order” constitutes a trial and evaluation agreement for which no payment will be required.
- B. The Vendor or manufacturer is expected to provide sufficient quantities or samples to permit a fair evaluation. These samples will be provided at “No Cost”, unless prohibited by law. Samples other than those utilized in the evaluation process, will not be accepted.
- C. Vendors are responsible for ensuring all deliveries are made in accordance with the contract or purchase order; failure to do so will cause non-payment of invoice(s).
- D. Products and equipment that are delivered without a valid purchase order will be considered a donation to the Harris Health. Products and equipment may be delivered without a purchase order if approved by the Harris County Purchasing Agent or designee.
- E. All products and equipment must be delivered to the Receiving Dock of the Harris Health facility specified on the purchase order unless otherwise stated in the contract, purchase order or Harris County Purchasing Agent or designee.
- F. All product and equipment deliveries must include a packing slip indicating the purchase order number unless delivery has been approved by the Harris County Purchasing Agent or designee to be made without a purchase order.

VI. VENDOR PARKING

Vendors are required to park in visitor parking spaces, whenever possible. Vendors needing special parking privileges must obtain approval from Security to park in non-visitor lots or spaces.

VII. SAFETY

- A. Vendor Sales Representative must comply with all safety standards including Occupational Safety and Health Administration (OSHA), National Fire Protection Association (NFPA), and other national and local regulations while on Harris Health premises.
- B. In the event of a fire, internal or external disaster, Vendor Sales Representative(s) are expected to comply with the request of the Harris Health department manager he or she is visiting and/or Harris Health Safety Officer and Security Officers.
- C. Product or equipment samples shall not be left by Vendor Sales Representatives with any individual or department without express authorization from the Harris Health Evaluation Coordinator.
- D. Prior to evaluating any drug, supply, technology, equipment, or device at the Harris Health facility, a product information packet must be on file with the Evaluation Coordinator of the department responsible for conducting the evaluation. The information packet must include product information (new and/or revised), contract pricing, as well as related clinical or technical data.
- E. Only Federal Drug Administration (FDA) approved equipment may be brought into a Harris Health facility for evaluation or utilization, unless the equipment has been approved through the research approval process.
- F. Medical equipment must be cleared and tested through the Harris Health Biomedical Engineering Department prior to start of evaluation.
- G. The Vendor is expected to provide training by individuals with the appropriate competency for the product or equipment, if training is required for product or equipment use.
- H. Protocol for all evaluations will be determined by the Harris Health Evaluation Coordinator. Protocol may include, but is not limited to, notifying the Harris County Purchasing Agent or designee in the event Purchasing involvement is required and for decisions on:

HARRISHEALTH SYSTEM

POLICY AND REGULATIONS MANUAL

Policy No:	3.24
Page Number:	8 of 9
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1. Length of evaluation;
2. Harris Health contacts during evaluation;
3. Evaluation schedule;
4. Products that will be brought into applicable Harris Health facility;
5. Payment of Harris Health and affiliate travel expenses; and
6. Provision of refreshments during the evaluation.

REFERENCES/BIBLIOGRAPHY:

Harris Health System Policy and Procedures 3.01 Policies and Procedures

Harris Health System Policy and Procedures 3.02 Solicitation.

Harris Health System Policy and Procedures 6.50 Identification/Access Control Badge Policy

American Medical Association Code of Ethics.

Association for Healthcare Resource and Materials Management Code of Ethics.

Texas Local Government Code, Chapter 176.

Health Information Portability Accountability Act Policy.

Harris Health System Instructions for Maintenance and Construction Contractors.

OFFICE OF PRIMARY RESPONSIBILITY:

Harris Health System Supply Chain Management Administration

HARRISHEALTH SYSTEM

POLICY AND REGULATIONS MANUAL

Policy No: 3.24
 Page Number: 9 of 9
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Effective Date	Version# (If Applicable)	Review or Revision Date (Indicate Reviewed or Revised)	Reviewed or Approved by: (If Board of Managers Approved, include Board Motion#)
	1.0	Approved 11/07/2006	HCHD Policy Review Committee
01/25/2007		Approved 01/25/2007	Board of Managers (No. 07.-56)
	2.0	Reviewed 01/14/2009	Materials Management Administration
	2.0	Approved 02/03/2009	HCHD Policy Review Committee
	3.0	Revised/Approved 04/06/2010	HCHD Policy Review Committee
	4.0	Revised/Approved 12/14/2010	Operations Policy Committee
	5.0	Revised/Approved 07/30/2020	Structure and Organizational Standards Committee