

Gifts/Business Courtesies to and from External Organizations/Individuals

Policy Number

FH-COM.022

Supersedes

SJH.ADM.022 - Gifts and Entertainment

Purpose

To provide staff with an understanding of acceptable behavior regarding gifts/business courtesies offered by or to vendors, potential vendors, customers, partners, potential employees or any other outside individual or organization. This policy does not apply to gifts to the organization through our fund raising efforts (refer to policy CPA.0029, 80100-022, 89701-006).

Definitions

Workforce Member– For purposes of this policy, FH or FH Affiliate employee, volunteer, trainee, student, temporary employee or other persons whose conduct in the performance of work is under the direct control of FH or a FH Affiliate, whether or not they are paid by FH or FH Affiliate.

Froedtert Health Affiliate- Froedtert Health Affiliate means for purposes of this policy: Froedtert Memorial Lutheran Hospital, Inc.; Community Memorial Hospital of Menomonee Falls, Inc.; St. Joseph's Community Hospital of West Bend, Inc.; Froedtert & The Medical College of Wisconsin Community Physicians, Inc.; West Bend Surgery Center, LLC; Froedtert Surgery Center, LLC; Waukesha Surgery Center, LLC; Inception Health, LLC; and Cardiology Joint Venture, LLC. Any other entity that becomes controlled by Froedtert Health after adoption of this policy also may be considered an affiliate.

Gifts and other Business Courtesies-Anything of value given to an external organization/individual or received by a staff member for whom the recipient does not pay fair market value. Examples include:

- Cash or cash equivalent such as gift cards or loans;
- Promotional gifts such as pens, notepads, mugs;

- Business courtesies such as lunches or refreshments in connection with business meeting or activity;
- Gift baskets, recreation, entertainment, products, etc.; or
- Travel costs and accommodations and/or registration costs to a conference, educational session, etc.

External organizations/individuals- means a company, including any employee, agent or representative of a company, or an individual that currently supplies or has the potential to supply products or services to Froedtert Health or is otherwise in a position to do business with Froedtert Health. Examples include vendors, potential vendors, customers, partners, and potential employees or any other external individual or organization (such as MCW).

Policy

A. If a gift or business courtesy situation arises that does not fit within this policy, or when in doubt about the appropriateness of accepting a gift or business courtesies, staff are expected to discuss with their leader or contact the FH Compliance Department for guidance.

B. Accepting Gifts

- a. Staff must not solicit or accept gifts, business courtesies or take actions that could influence, potentially influence or give the appearance that decisions or actions have been influenced by improper gifts or other business courtesies from external organizations/individuals, including from vendors, visitors and patients.
- b. Staff must not solicit or accept gifts, business courtesies or take actions for their own personal benefit or to influence a purchase or any other business decision.

c. Acceptable Gifts to Accept

- A modest meal or refreshments in connection with attendance at legitimate business meetings and events sponsored by industry, technical, professional, or educational associations;
- A modest meal or refreshments in connection with attendance at a legitimate educational session conducted or hosted by an external organization;
- Moderately priced meal or entertainment as part of a business meeting or event that advances the organization's business interests and relationships;
- Moderately priced entertainment is generally considered to be less than \$50 per individual, per event.
- Staff should not repeatedly accept (or offer) even modest meals or entertainment from the same organization or individual.
- Business meetings/events paid for by vendors or potential vendors should never include a staff member's guest. Guests are to cover their own cost.
- Gifts presented to Froedtert staff/leaders representing the organization in an official capacity or as recognition for an achievement (e.g. plaques, trophies, awards, attendance at community event);
- Moderately priced travel and lodging expenses, or gifts of nominal value for speaking or taking some other active role at events, conferences, civic organizations, and other similar events when representing the organization in an official capacity. Costs cannot cover the expenses for guests;

- Items received at trade shows, conferences, seminars or training events that are distributed to attendees. These items would include t-shirts, pens, trade show bags or similar giveaways. Likewise, food and beverages provided to all attendees at receptions, breaks or dinners are acceptable. Door prizes awarded at these events are also acceptable, provided that all attendees had an opportunity to register and receive the prize;
- Discounted admission to conferences, trade shows or seminars whose sole business purpose is to train our staff at becoming proficient with a particular product or software that would benefit our patients or organization. Complimentary trips to vendor operations or client visits that are conducted as part of the organization's due diligence in researching a product or service. These are acceptable provided that all potential vendors are afforded the same opportunities;
- Gifts that can be used for educational purposes with either staff or patients (i.e., textbooks, handbooks, wall charts);
- Discounts provided to all employees by external organizations through a contract or in conjunction with the Human Resources Department or our employee benefit plan (e.g. discount to fitness club, cell phone carrier as a benefit); and
- External organizations/individuals can pay for an employee to attend a charitable fundraising event sponsored by a not-for-profit charitable organization or our own hospital foundations. meals, table, etc. (e.g., meals, table, vendor wants to pay for a staff member to attend the CMH golf outing sponsored by the CMH hospital foundation).
- Tickets or items that are offered as part of a contract or sponsorship agreement are not considered a gift (i.e., bucks tickets/box available as part of our sponsorship agreement).

Unacceptable Gifts to Accept

- Any gift that is accepted when the intent is to influence business decisions, referrals or for staff member's own personal gain (e.g., food, sporting or other event tickets, round of golf).
- Staff who has a decision-making role in the procurement of goods and services (including supply-chain buyers) may not accept any gifts from vendors or potential vendors.
- Cash, stocks, bonds, loans or gift cards regardless of the dollar amount;
- Travel/lodging to conferences or meetings when staff member is in a passive capacity (e.g. an attendee);

Providing Gifts

- d. Staff must not provide gifts, business courtesies or take actions for their own personal benefit or to influence a purchase, relationship, or any other business decision, or induce improper conduct.
- e. Non-leader staff should discuss and get approval from their leader before accepting any gifts or business courtesies offered to them from business vendors and other external organizations/individuals, including those defined as Acceptable Gifts in this policy.

Acceptable Gifts to Give

- f.
 - Modest items Froedtert Health or a Froedtert Health Affiliate may give away when exhibiting at a trade show.
 - Modest items Froedtert Health or a Froedtert Health Affiliate may give a customer as a token of thanks (i.e. pen with a logo on it);
 - Gifts given by Froedtert in an official capacity to individuals/organizations in recognition for an achievement (e.g. plaque for healthiest employer);

C. Unacceptable Gifts to Give

- a. Any gift if the aim is to create an expectation of a "favorable" act in return for the gift or hospitality.

- b. Gifts or other free items or services to any governmental official or representative.
- c. Gifts or other free items or services to patients (or potential patients), unless allowed under the Financial Assistance Policy.
- d. Gifts to physicians unless pre-approved by the FH Corporate Compliance Department (see Gifts/Nonmonetary Compensation to Physicians and Medical Staff Incidental Benefits Policy - FH-COM.080)

Staff Responsibility When Gifts Are Received

- Non-leader staff should discuss and get approval from their leader before accepting any gifts or business courtesies offered to them from business vendors and other external organizations/individuals, including those defined as Acceptable Gifts in this policy.
- Staff should professionally inform external organizations, vendors, potential vendors and other individuals about our policy and request that they comply, if or when presented with a gift.
 - If a staff member or department receives a gift that does not comply with this policy:
 - The gift should be returned to the vendor and the vendor requested to comply in the future.
 - In lieu of returning plants or flowers, they may be displayed in the lobby, or at another central location where all employees may enjoy their presence. The vendor should be notified to discontinue similar gifts in the future.
 - In lieu of returning gifts of food, they may be shared with the entire staff even if addressed to a single employee. Under no circumstances may an employee take a food gift home. The vendor should be notified to discontinue similar gifts in the future.

Exception

Any exceptions to this policy must be approved in writing by a Vice President, or the Chief Compliance Officer (or designee) before payment is made or gifts accepted.

Issuing Authority

FH Corporate Policy Committee

Distribution

Froedtert Health

category

Compliance,