PURPOSE:
To establish Health Quest Systems, Inc and its affiliates (HQ) policy related to the (i) offering of Gifts to patients; and (ii) receipt of Gifts from patients and visitors.

POLICY:
It is the policy of the HQ to maintain the highest standard of ethical conduct in its relationships with its patients and visitors. This includes compliance with Applicable Federal and State Requirements with regard to the offering of Gifts to patients and receipt of Gifts from patients or visitors. For questions about the offering or receipt of a Gift, contact the Office of Compliance, Internal Audit & Privacy.

I. Gifts to Patients
A. HQ and Workforce Members may not offer or give Gifts to patients, except if the gift meets all the requirements set forth below:

   • The Gift is not cash or a cash equivalent (such as Gift cards, Gift certificates, checks, money orders, etc.);
   
   • The retail value of the Gifts is fifteen dollars ($15) or less;
   
   • The retail value of the Gift in combination with all other Gifts or other free or discounted goods and services furnished to the patient by HQ during the calendar year aggregate to a retail value not exceeding seventy-five dollars ($75);
   
   • Gifts are not offered on preferential terms to patients of specific physicians, but rather are made available on equivalent terms irrespective of the physician(s) treating the individual; and
   
   • HQ does not seek reimbursement for the cost of providing the personal Gifts from the relevant payer;
   
   • Other permissible non-cash Gifts may involve preventative care, access to care, or transportation pursuant to Beneficiary Inducements Civil Monetary Penalty Law and
II. Gifts from Patients and Visitors

No Workforce Member may solicit or encourage a Gift from a patient or visitor. Workforce Members should discourage patients or visitors from offering Gifts. A Workforce Member may politely thank the patient or visitor for the offered Gift, but should inform the patient that Workforce Members are not permitted to accept Gifts. Workforce Members may never accept cash or cash equivalents, such as such as Gift cards, Gift certificates, checks, money orders, etc., and if a Gift is delivered, all efforts should be made to return the Gift.

When patients, visitors, relatives, or friends express a desire to make a Gift or donation to HQ, they should be referred to the Hospital's Foundation Office, which will advise the donor with respect to the process for doing so.

DEFINITIONS:

**Applicable Federal and State Requirements:** Any federal or state statutes, regulations, or guidance applicable to Health Quest’s operations; Medicare and Medicaid Manuals and transmittals; National Coverage Determinations; and publications issued by Medicare Administrative Contractors, including Local Coverage Determinations (“LCDs”).

**Gifts:** include the receipt of anything of value and without fair market compensation, including the receipt of discounts, free or below-market value goods, or services. Also, perishable and consumable Gifts.

**Workforce Member:** Any employee, independent contractor, agent, volunteer, trainee, or other person who performs work for, or on behalf of HQ. This includes full-time, part-time, and pool employees; associates; directors; officers; managers; supervisors; volunteers; members of any HQ systems Board of Trustees (Board) and members of standing committees; medical staff employed by, or otherwise affiliated with HQ; affiliated students or others receiving training at any HQ facility; and others who provide goods or services to HQ.

**ENFORCEMENT:**

All individuals whose responsibilities are affected by this process are expected to be familiar with the basic procedures and responsibilities created by this process. Failure to comply with this process will be subject to appropriate remedial and/or disciplinary action, up to and including termination of any employment or other relationship, in accordance with this process.
REFERENCES:
Anti-Kickback Statute and regulations: 42 U.S.C. § 1320a-7b(b); 42 C.F.R. § 1001.952
Beneficiary Inducements Civil Monetary Penalty Law and regulations: 42 U.S.C. § 1320a-7a(a)(5); 42 C.F.R. §§ 1003.101, 1003.102(c)(13)
OIG Policy Statement Regarding Gifts of Nominal Value to Medicare and Medicaid Beneficiaries (December 7, 2016)
OIG Special Advisory Bulletin, Offering Gifts and Other Inducements to Beneficiaries (August 2002)

POLICY HISTORY:
Supersedes: 10/10/2018
Original Implementation Date: 2/27/2014
Date Reviewed: 9/25/2019
Date Revised: 2/27/2014, 10/10/2018, 9/30/2019

APPROVAL:

Policy Owner [Signature]
Date [Signature]