

TITLE	Gifts and Business Courtesies		
NUMBER	NH-HR-7080	Last Revised/Reviewed Effective Date:	Dec 15 th , 2012
TJC FUNCTIONS	LD, HR		
APPLIES TO	Novant Health, Inc.		

I. SCOPE / PURPOSE

Overall, people give gifts to employees to extend a simple thank you or common courtesy for a job well done, or as a heartfelt acknowledgement during a holiday. However, some gifts may be meant to influence employee actions in a manner that is not in the best interest of patient care and our organization. Items and services received inappropriately could present legal and regulatory risks to you and Novant.

This policy provides guidance to Novant employees concerning giving and receiving of gifts and business courtesies, and relationships with referral sources, vendors and manufacturer representatives, industry groups, professional organizations, trade organizations, and patients. This policy is not intended to represent every situation or circumstance. Good judgment and decisions appropriate to the facts and circumstances should be used when specific guidance is not found in this document. All gifts, favors, or hospitalities, whether given or received, should contribute to our mission, vision, and values with the highest regard for patient care. Novant and its employees should neither accept nor keep anything of value that has the potential to materially affect the ability to make decisions in the best interests of patients and other stakeholders.

Novant, through its foundations, solicits and receives gifts and contributions to the organization from the community, grateful patients, businesses, and many others. Nothing in this policy is intended to interfere or govern those activities when a Novant organization is the recipient of the gift. The foundations have explicit policies that govern these gifts.

This policy does not apply to the exchange of gifts or courtesies between Novant employees.

This policy does not apply to gifts based upon a family or personal relationship independent of any Novant business. This policy does not apply to gifts available to the general public on the same conditions.

II. POLICY

A. Gifts or Courtesies for Charitable Purposes:

Employees may participate in various recognized charitable activities supported or encouraged by Novant, such as fundraising for the arts, community welfare organizations, missions, and disease specific charities. Activities such as golf tournaments, dinners, fundraisers, associated prizes and awards, are not considered gifts or business courtesies. Participation in these events is permitted and is not

governed by this policy as long as the activity involves a benefit to the recognized charity.

B. Definition of a Gifts and Business Courtesies

Any service or product received free or at reduced fares or prices, which are not also available to the general public, is a gift or business courtesy. Gifts made to a family member are considered gifts to you.

Some examples of gifts and business courtesies are:

- Cash and cash equivalents (certificates, gift cards)
- Securities, stocks, bonds, options, or loans (or loan interest rates)
- Stock offerings not available to other investors
- Tangible items such as merchandise, goods, food or beverages
- Transportation (air fare, car rental, etc.)
- Lodging or use of a residence (including use of a vacation home)
- Conference attendance, or the educational value of practical, observational, and didactic training
- Recreational equipment or facility memberships
- Entertainment (such as tickets or entrance fees)
- Donations or payments on your behalf (such as to a charity, or for training or education)
- Payment for participation in vendor opinion research
- Time (including labor), materials, facilities or equipment, or other home improvement

Transportation associated with a business event, such as a shuttle bus service, typical cab ride, or transportation in a private vehicle, is not a gift.

Providing drug samples for patient use in accordance with the Prescription Drug Market Act is not a gift and is acceptable and is not subject to this policy.

C. The Following Are Prohibited:

- a. In the event that a gift or business courtesy is legally restricted or poses a regulatory risk the gift may not be accepted even if the gift is deemed allowable under this policy.
- b. No Novant employee shall offer or accept any direct or indirect bribe, kickback, or any other unlawful payment or transfer of value.
- c. Novant employees may not give or receive: cash, cash equivalents, gift certificates, gift cards, securities, stocks, bonds, options, discounts and favorable terms other than those generally available to the public, loans at below normally available rates (conventional terms from banks or lending institutions), or participation in stock offerings not available to other investors
- d. Providing drug samples not for patient use or not consistent with the Prescription Drug Market Act.
- e. Departments may not accept offers of “free” equipment (computers, fax machines, etc.). Equipment provided at no cost under a reagent or supply

- purchase commitment is not considered “free” equipment.
- f. Novant employees are prohibited from soliciting vendors and manufacturer representatives for gifts for any purpose, including door prizes, except as allowed under Novant Health Foundations or for company approved or endorsed fundraising.

D. The Following Are Permitted:

- a. Unless specifically prohibited in this policy, gifts and business gratuities may be given or received when the value is \$100 or less per event or per item. The aggregate value of all gifts from or to a single source within a calendar year may not exceed \$300.
- b. Perishable or consumable gifts (such as flowers, fruit, and candy) given to a department or group are permitted.
- c. Items primarily for the benefit of patients may be accepted if they are not of substantial value (\$100 or less). Items should not be accepted on more than an occasional basis, even if each individual item is appropriate. Donations of Items of substantial value (more than \$ 100) should be donated through the foundations.
- d. Departments or individuals may accept gifts of minimal value from vendors and manufacturer representatives (such as pens, pads, and similar items given as advertising or promotional items).
- e. Informational presentations by vendors and manufacturer representatives may provide valuable scientific and educational benefits. In connection with such presentations, occasional meals (but no entertainment/recreational events) may occur as long as they are appropriate, occur at a reasonable location, and in a manner conducive to informational communication, and provide scientific or educational value. Inclusion of a healthcare professional’s spouse or other guests is not appropriate. Accepting “take-out” meals or “dropped off” meals for staff is not appropriate. Meals are to be limited to employed staff who are appropriate to attend the meeting or training. Meals provided by vendors and manufacturer representatives are prohibited when no educational program is provided.
- f. Meals may be provided by a vendor at an organized business meeting if business topics are the predominant purpose of the meeting. Meals may only be provided to those attending the business meeting.
- g. Civic, charitable, educational, or religious organization awards for recognition of service or accomplishment may be accepted when the value is less than \$300 in a calendar year.
- h. The Code of Ethics offers guidance on speaking engagements.

E. Other Gift Considerations:

- a. Novant Health or its employees may not accept gifts from vendors and manufacturer representatives designated for education to benefit particular

individuals, or gifts or fees for participating in vendor opinion research. All vendor gifts for education or opinion research must be unrestricted permitting Novant Health to determine its best use.

- b. Conference attendees may not accept any direct funds from vendors and manufacturer representatives. Employees merely attending a conference may not accept funds for travel, conference fees, or lodging from vendors and manufacturer representatives. This includes educational content involving didactic and observational learning opportunities; however, employees may accept the educational value of the observational learning opportunity.
- c. Technical training associated with specific instruments or products should be provided for in the acquisition agreements.
- d. Vendors and manufacturer representatives may contribute to Novant's foundations and designate the funds to be used for employee, community or medical staff education. Funds will be dispersed by the foundations according to authorized foundation policies.
- e. In-house education provided by a vendor is acceptable if non-commercial and pertinent to professional practice. Vendors and manufacturer representatives may provide light meals or refreshments during such presentations to those attending.
- f. Education events provided by Novant Health to the medical community and the general public may be underwritten by vendors and manufacturer representatives to reduce the overall cost for all attending. However, speakers must be selected by Novant Health and not by the vendors and manufacturer representatives. Also, commercial recognition for underwriters must be limited to oral or written acknowledgement.

F. Patients and Families

a. Giving Gifts to Patients and Their Families:

It is Novant's policy that it will not provide goods, services, or other items of value to patients free of charge or at a price below cost in order to influence the flow of business to Novant or its operating subsidiaries.

We do permit staff, however, to demonstrate their compassion during unusual circumstances, such as helping a pediatric patient celebrate a birthday while hospitalized or a hospice patient celebrate an anniversary. These special opportunities ease patient's stress while separated from their homes. These expenses are minimal in value.

Sometimes patients are provided an incentive of minimal value to comply with treatment and rehabilitation. Upon successful completion of the treatment or rehabilitation, items such as a pen or t-shirt may be given.

We will not pay patients or their families for referrals for any designated health service. Novant is permitted to provide, on a case by case basis, items of minimal value to patients when these are part of an established service recovery or customer

care program.

b. Receiving Gifts From Patients and Their Families:

In general, gifts from patients and their families should be referred to one of the foundations. However, departments may accept gifts from grateful patients, families, or benefactors, which provide resources to further the department's goals. Examples of these gifts are books and other learning resources, musical instruments, or other similar items. In all cases these gifts must be properly recognized and accounted for according to Novant policies on receiving contributions. Departments and individuals may accept flowers, homemade crafts, cookies and similar gifts of minimal value from patients or their families. Employees may not solicit or accept monies or gifts as payments for services provided from patients or their family members.

c. Solicitation For Gifts or Contributions From Patients and Families:

Solicitation for gifts or contributions from patients and their families must be accomplished through one of the Novant foundations and not by individual employees except through a campaign organized through the foundations.

G. Trade Organizations, Industry Groups, and Professional Associations:

Novant employees desiring to attend business associate sponsored seminars may do so only if the seminar related expenses are paid for by Novant at fair market value.

I. Exceptions to This Policy:

In advance of the receipt of or giving of a gift or business courtesy that does not conform to this policy, a request for an exception should be submitted through the Conflict of Interest Committee using the Gifts and Business Courtesies Exception Request Form. Instructions for accessing this electronic form are located in **Exhibit A** of this policy.

It is the responsibility of the requestor to provide adequate information that supports the merits of accepting a gift. The submission of a Gift and Business Courtesies Exception request is an appeal to this policy; therefore, additional appeals are not available and the decision of the Conflict of Interest Committee will be final.

Submission of a Gift and Business Courtesies Exception Request requires that a current Conflict of Interest Disclosure form be on file. To be current, a Conflict of Interest Disclosure must have been submitted within the past 12 months, and you must update the form with any changes since your last submission. You should consult the Novant Conflict of Interest policy for additional information including instructions for submitting your Conflict of Interest Disclosure form. If you have questions or need verification that your most recent Conflict of Interest Disclosure submission is current, you should email the Conflict of Interest Program Coordinator at: compliance@novanthealth.org

The decision of the Conflict of Interest Committee will be delivered to the employee and his/her direct supervisor through an emailed memorandum.

III. QUALIFIED PERSONNEL

Does not apply.

IV. EQUIPMENT

Does not apply

V. PROCEDURE

Does not apply.

VI. DOCUMENTATION

Does not apply.

VII. DEFINITIONS

Family Member: defined as spouse or domestic partner, parents (including adoptive, biological and step parents), mother-in-law, father-in-law, grandparents, brothers and sisters (whether by whole or half blood or step), children (adopted, biological and step), grandchildren (adopted, biological and step), and the spouses of children, grandchildren, and brothers or sisters.

Vendor: (1) Any company with whom Novant directly contracts for products or services, or has entered into any process to do business with Novant. (2) Any company who makes or receives patient or business referrals to or from Novant, or has entered into any process to make or receive patient or business referrals to or from Novant.

Value: an exchange price that willing, unpressured, and well-informed buyers and sellers would reach through negotiations in an arm's length transaction.

VIII. RELATED DOCUMENTS

Novant Code of Ethics
Novant Compliance Plan
Novant Conflict of Interest Policy
Novant Mission, Vision and Values

IX. REFERENCES

Does not apply.

X. SUBMITTED BY

Jackie Rountree, Sr Director of Compliance; Janet Smith-Hill, Senior Vice President, Human Resources

XI. KEY WORDS

Gift, business courtesy, conflict of interest, vendor, sponsor, trade organizations,

industry groups, gratuities, opinion survey

XII. INITIAL EFFECTIVE DATE January 1, 2008
DATE REVISED Dec 15th, 2012
DATE REVIEWED
Date Due for Next Review Dec 2015

SIGNATURE SHEET (one copy only to be maintained by author)

Company / Facility(s)	Novant Health
Department	Human Resources
Title	Gifts and Business Courtesies
Action	Revised Policy

APPROVED BY:

Title	Approved By	Signature	Date
Senior Vice President of Human Resources	Janet Smith-Hill		See Electronic Approval
Sr Director of Compliance	Jackie Rountree		See Electronic Approval

COMMITTEES APPROVED BY:

Committee	Chairperson/Designee	Date

EXHIBIT A

Submitting Your Gift and Business Courtesies Exception Request

Novant Health uses a commercial disclosure management system, called COI-SMART, to facilitate employee Conflict of Interest disclosure and related needs such as requesting an exception to the Gift and Business Courtesy Policy. This web based product is accessible from most computers with internet access. Novant employees and physician partners may receive emails from COI-SMART.

COI-SMART is compatible with the following web browsers:

- Microsoft Internet Explorer version 6 or higher on Windows XP or higher
- Mozilla Firefox version 2 or higher on Windows XP or higher and on Apple OSX or higher
- Apple Safari version 3 or higher on Apple OSX or higher
- Various smart phones and tablets may be compatible but are not officially supported by the vendor.

Paper forms are not available.

All Novant Health new employees should have access to this disclosure system within two weeks of starting orientation. Please send an email to compliance@novanthealth.org or call 336.277.1046 if you have questions about submitting a Gifts and Business Courtesies Exception Request, or if you require technical assistance. Do not contact Novant Health IT for technical or password assistance.

Getting Started

1. To access the COI-SMART system, please click on this link or copy and paste the link into your Web browser: <https://novant.coi-smart.com/login.php>
2. This link takes you to Novant Health's COI-SMART homepage. You should see the image below on the homepage.



The image shows a login form with two input fields: "Username:" and "Password:". Below the fields is a red "LOGIN" button and a link that says "Forgot Password?".

New Users and Returning Users Who Have Forgotten Their Password:

3. **Important:** You must have access to your Novant Health Outlook inbox to create or update your password.
4. Single left mouse click on "Forgot Password."
5. A new box will appear requesting your email address. Enter your **Novant Health email address**, and click "Submit". An email will be sent to this email address with instructions to create or reset your password.
6. Once you have access to COI-SMART, go to **step 10**.

Returning Users Who Know Their Password

7. Your six digit employee number is your user name. Type your employee number into the text box beside "Username". Your employee number should be printed on the back of your ID badge.
8. Enter your password in the "Password" field. Click login.
9. If you incorrectly type your password five times within three minutes you will be locked out of the COI-SMART system. If you are locked out of the COI-SMART system you must either wait 30 minutes for the system to automatically unlock for you, or you may call 336.277.1046 or email compliance@novanthealth.org for assistance. If you are unsure of your password, please go back to step 3 and reset it.

All Users: Choosing the Correct Form

10. After logging into COI-SMART the user is directed to the Announcement page. Review the message, and click the button that says **CLICK HERE TO ACCESS YOUR QUESTIONNAIRE(S)**.
11. You will arrive at the default My Questionnaires page. At the top of this page you should see a box with the text "**VIEW SINGLE USE/NON-EDITABLE QUESTIONNAIRES.**" Single left mouse click on this box. Clicking on this box takes you to all one-time use questionnaires and forms. To submit your *exception request* to the Gifts and Business Courtesies Policy you will complete the form (questionnaire) called "**Elective: Gifts and Business Courtesies Exception Request Form (HR Policy #7080)**". Find this form in the form list, and single left mouse click on the form name. Below this form name you will see a picture of a pencil and the text "Start A New Single Use/Non-editable Questionnaire" in blue font. Single left mouse click on this blue text to launch the electronic form. You must finish the form in one sitting. You may not save and return to the form at a later time to modify your answers.
 - a. If you do not have access to this form please email compliance@novanthealth.org and someone will research and reply as soon as possible. Please include your full name and a preferred phone number.
 - b. If you have questions about other forms which are available to you in this system email compliance@novanthealth.org
12. After all questions in the form have been answered you will arrive at a submission screen. You cannot submit an incomplete form. Follow the instructions to submit your form.
13. Once you have submitted your form you will be directed to a page confirming your submission. Also, an email will be sent to your Novant Health Outlook inbox confirming your form submission.
14. If you have another electronic form to complete (such as submitting your Conflict of Interest Disclosure form), open first "My Questionnaire" from the menu on the left of the screen, and then open "My Questionnaires" to locate additional forms. If you do not need to submit additional forms you may log out of the application by clicking "Log Out" at the top right of your screen.