



VISIONQWEST Healthcare GROUP

A Division of VisionQwest Resource Group, Inc.
500 N Central, Suite 740, Glendale CA 91203
Phone: 818.547.0497 Fax: 818.547.0449
Web Site: www.vqrginc.com

SUBJECT: OFFER AND ACCEPTANCE OF GIFTS AND BUSINESS GRATUITIES

POLICY NUMBER: VQ-SL-1005

LINE OF BUSINESS: GLOBAL POLICY (ALL BUSINESS LINES)

EFFECTIVE DATE: 11/21/11

REVISED DATE: 11/21/11

PAGE: 1 OF 3

1. REGULATORY REFERENCES:

- 1.1 CoP: N/A
- 1.2 ACHC: N/A

2. PURPOSE:

- 2.1 This policy provides guidance for the solicitation, provision, and acceptance of gifts and business gratuities.

3. POLICY:

- 3.1 Federal and state anti-kickback statutes prohibit the acceptance of any item of value made directly or indirectly, in cash, or in kind, that may induce, or appear to induce, the purchase or referral of any kind of health care good, services, or items reimbursed by a federal or state healthcare program (e.g., Medicare and/or Medicaid).
- 3.2 Company employees, agents or independent contractors may not solicit personal gifts or gratuities, including meals or snacks, from individuals or entities outside the Company, including patients, physicians, hospital and other discharge planners, referral sources, service providers, vendors, contractors, manufacturers and suppliers.
- 3.3 Unsolicited gifts of nominal value (total value of \$50 or less in any one calendar year from any individual or entity) may be permissible. Unsolicited meals and snacks, regardless of value, are prohibited unless the meal or snack is provided as part of an educational seminar or training, and the seminar or training relates to the attendee's duties for the Company.
- 3.4 It is prohibited for any Company employee, agent or independent contractor to accept gifts of cash or cash equivalents (e.g., gift certificates, stocks, and bonds) from individuals or entities outside the Company, including patients, physicians, hospital and other facility discharge planners, referral sources, vendors, contractors, manufacturers and suppliers.
- 3.5 It is prohibited for any Company employee, agent or independent contractor to accept gifts or business gratuities that are intended to influence, or that may have the appearance of influencing, the Company

employee in the performance of the employees official duties or responsibilities.

4. PROCEDURE:

4.1 General

4.1.1 Approval from the Chief Compliance Officer or the Legal Department is required prior to the Initiation or any incentive, reward, contest, or referral program.

4.1.2 Any Company employee, agent or independent contractor who has questions or concerns regarding the offer or acceptance of gifts should contact the Chief Compliance Officer or the Legal Department.

4.2 Gifts

4.2.1 Acceptance of Gifts

- i. An employee, agent or independent contractor may accept an unsolicited perishable gift, for example, a floral arrangement, fruit basket, cookies, or candy if: (a) the gift cannot be returned, and (2) it is shared with all staff members at the Company location from which the employee, agent or independent contractor provides services. Unsolicited gifts shall not be taken home for personal use.
- ii. Promotional items such as pens, notepads, and mugs may be accepted from vendors, referral sources, contractors, manufacturers and suppliers as long as the items have a nominal value (\$10 or less per instance and no more than \$50 in the aggregate annually per vendor, referral source, contractor, manufacturer or supplier).
- iii. An employee shall not solicit or accept gifts or items of value from patients or their families.
- iv. No employee, agent or independent contractor may accept gifts of a personal nature. Examples include, but are not limited to, concert tickets, tickets to sporting events, and golf outings.

4.2.2 Offering of Gifts

- i. Promotional items of nominal value such as pens, notepads, or mugs that promote awareness of the Company's services may be offered to patients, provided the items have a retail value of no more than \$10 individually, and no more than \$50 in the aggregate annually per patient.
- ii. Cash or cash equivalents must never be offered to patients.
- iii. Promotional items of nominal value such as pens, notepads, or mugs that promote awareness of the Company's services may be offered to physicians, hospital and other facility discharge planners, referral sources, vendors, contractors, manufacturers and suppliers, provided the items have a retail value of no more than \$10 individually, and no more than \$50 in the aggregate is provided annually to the individual or entity.
- iv. It is prohibited for any Company employee, agent or independent contractor to furnish any meals or snacks, regardless of value, to any patients, other than the meals or snacks required to be provided to patients pursuant to the provision of Company services.
- v. The Company may provide meals or snacks of nominal value to physicians, hospital or other facility discharge planners, hospital or other facility employees, vendors, contractors, manufacturers, suppliers and other referral sources, provided that the meals or snacks have a retail value of no more than \$10 per instance and no more than \$50 in the aggregate on an annual basis. For purposes of this policy, the above-

referenced limits apply to an institution as a whole. Therefore, the \$10 limit per instance and \$50 limit in the aggregate would apply to any physician practice, hospital, skilled nursing facility, assisted living facility, and like entities. Any offers of meals or snacks to any such individuals or entities require prior approval by the Chief Compliance Officer or the Legal Department.

- vi. Food, beverages, gifts, and entertainment (even of nominal value) must not be offered to any federal or state governmental official.

5. ADDITIONAL DOCUMENTATION:

- 5.1 State Specific Guidelines
- 5.2 Beneficiary Inducement & Waiver of Co-Pays & Deductibles Policy
- 5.3 Code of Conduct
- 5.4 Deficit Reduction Act Policy
- 5.5 Federal Anti-Kickback Statute Policy
- 5.6 Physician Self-Referrals Policy
- 5.7 Progressive Discipline Policy
- 5.8 Policy and Procedure Cross-Walk