

Policy Name: Business Courtesies and Gifts from Post-Acute Providers	
Originating Officer (Title), Committee, or Council: SVP, Chief Compliance Officer	Effective Date: 12/15/2015
Approved By: System Leadership Council	Last Reviewed Date: 12/01/2015
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1.0 Scope:

1.1 Applicable Entities:

This policy applies to the Texas Health Resources (Texas Health) member hospitals and excludes Texas Health joint venture entities and Texas Health Physician Group.

1.2 Applicable Departments:

This policy applies to all THR Departments and/or other Workforce members and contractors working on behalf of Texas Health and involved in arranging health care services for a Texas Health patient, generally upon the patient's discharge from a Texas Health hospital.

2.0 Purpose:

2.1 The purpose of this policy is to establish guidance for professional relationships and activities involving Post-Acute Providers that furnish services to Texas Health patients outside the Texas Health hospital when the Health Care Provider stands to benefit from a hospital referral process, such as post-acute care referrals.

3.0 Policy Statement(s):

3.1 It is the policy of Texas Health that relationships with Post-Acute Providers be objective, free from conflicts of interest, professional at all times and based upon the clinical needs of Texas Health patients. Texas Health and its employees are entrusted by patients and others to be objective and free from even the perception of influence or favoritism when informing patients of their provider choices to obtain needed healthcare services outside the hospital.

4.0 Policy Guidance:

4.1 Acceptance of gifts, business courtesies or gratuities from Post-Acute Providers or their representatives is prohibited regardless of the monetary value. This prohibition demonstrates the Texas Health commitment to eliminate any perception of favoritism or influence. Examples of impermissible gifts or gratuities include, but are not limited to the following:

- a. Gifts including items such as pens, notepads, or other items provided at no cost to the employee or the department.

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- b. Lunch, dinner or other food items provided to the department.
 - c. After hours events such as a happy hour, spa event or other activity sponsored by the Healthcare Provider.
 - d. Continuing education sessions that are exclusively offered to Texas Health staff.
- 4.2 Continuing Education sessions offered to the community may be attended if the session is a bona fide education program with continuing education units (CEU's) and does not include gifts, happy hour or other gratuities prohibited under Section 4.1 of this policy.
- 4.3 Visiting a Healthcare provider business location for informational purposes to view the facility and/or obtain information regarding the provider's service capabilities, etc. is permitted as long as the visit does not include gifts or other gratuities prohibited under Section 4.1. In addition, the open house or other information event should be open to all community hospitals, not just Texas Health. Any exception must be approved in advance by the Entity Compliance Officer.
- 4.4 Representatives of post-acute providers are only allowed in patient care areas for business reasons at the request of a Texas Health hospital for the purpose of evaluating patients for admission into the Post-Acute Provider's care. All representatives must be registered into the approved THR Vendor Clearance Process. If a representative of a Post-Acute Provider is observed in a Texas Health hospital nursing unit for marketing purposes, report to your supervisor who may also wish to report to the Entity Compliance Officer. The representative should be educated regarding the Texas Health Solicitation policy that prohibits distribution of materials on Texas Health premises.
- 4.5 Compliance with this policy provides an environment of objectivity, avoids the appearance of favoritism or influence and upholds the Texas Health commitment to decisions and processes that are solely based on what is in the best interest of the patient and his/her clinical needs.
- 4.6 Questions regarding this policy should be directed to appropriate Department Director or contact the Entity Compliance Officer for clarification.

5.0 Definitions:

- 5.1 Post-Acute Provider - Any representative of an outside entity that provides healthcare services to Texas Health patients outside the Texas Health acute care hospital, generally after the patient is discharged, such as home health, skilled nursing, inpatient rehabilitation, long term care, infusion services, durable medical equipment or other post-acute service.

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- 5.2 Vendor Clearance Process - An online process to verify credentials such as training certificates, immunization records, proof of insurance and policy agreements.
- 5.3 Workforce - Employees, volunteers, physicians, and other person's whose conduct, in the performance of work for an entity, is under the direct control of such entity, whether or not they are paid by the entity.

6.0 Responsible Parties:

- 6.1 Department Directors and Managers
 - 6.1.1 Responsible for oversight and implementation of policy.
- 6.2 Texas Health Chief Compliance Officer
 - 6.2.1 Review and revision of this policy from time-to-time as needed.

7.0 External References:

Not Applicable

8.0 Related Documentation and/or Attachments:

- 8.1 Code of Business Ethics
- 8.2 [Dualities and Conflicts of Interest Policy and Forms - THR System Policy](#)
- 8.3 [Solicitation, Distribution, and Posting - THR System Policy](#)

9.0 Required Statements:

Not Applicable