



LOMA LINDA
UNIVERSITY
MEDICAL CENTER

LOMA LINDA UNIVERSITY MEDICAL CENTER

OPERATING POLICY

CATEGORY:	HUMAN RESOURCE MANAGEMENT	CODE:	I-18
SUBJECT:	GIFTS/SPONSORSHIP	EFFECTIVE:	05/2017
		REPLACES:	02/2015
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Related Policies:

[Conflict/Duality of Interest \(A-6\)](#)

[Distributing Literature, Selling, and Soliciting \(A-15\)](#)

[Vendor Endorsements \(A-56\)](#)

[Relationships with Outside Entities \(A-61\)](#)

[Vendor Representatives Visits to LLUMC \(G-18\)](#)

[Interactions With Vendors \(I-96\)](#)

[Use and Storage of Sample Medications in Hospital-Based Clinics \(R-25\)](#)

INTRODUCTION

Although this policy is intended to address a broad range of situations that may arise between patients, visitors and/or vendors and LLUMC personnel, questions may arise about certain situations that do not appear to be covered by this policy or any other relevant LLUMC policy. In those circumstances, LLUMC personnel shall seek advice from their department head or applicable supervisor, the Office of General Counsel, or the Compliance Department.

GENERAL PRINCIPLES

1. GIFTS

- 1.1 Employees shall not accept monetary gifts (cash or cash equivalents) from patients or their significant others, visitors, or from vendors. Exception: employees working in the Hospitality Services Department as valets (Reference par. 1.1.d)
 - a. Cash and cash equivalents includes but is not limited to: cash in any form, gift certificates, property, payments of obligations or the use of something of value.
 - b. Patients or others wishing to give monetary gifts shall be directed to the Office of Philanthropy.
 - c. Donations from vendors may be accepted, provided the donations are given directly to the Office of Philanthropy. Donations so received shall not be limited by the

vendor for any specific purpose or item. Rather, the use of such donations shall be at the sole discretion of LLUMC.

- d. Valet services employees shall be eligible to accept gratuities and shall be required to report their tips that total \$20.00 or more for any month to the LLUMC payroll tax accountant.
- 1.2 Employees shall not accept non-monetary gifts that have an apparent value of more than \$35.00 from patients or their significant others, or visitors.
 - a. Non-monetary gifts include, but are not limited to: event tickets, travel or other excursions, bonuses, goods, hospitality services and social entertainment.
 - b. The apparent value does not apply to any gift from a vendor. Only gifts of nominal value such as office pens, pencils and notepads may be accepted from vendors.
 - c. Any personal gift (for the sole use of one individual and not available to staff as a whole) from a vendor that are delivered directly to LLUMC personnel shall be returned directly to the vendor, together with a copy of the standard “vendor letter” prepared by the Compliance Department. The “vendor letter” may be downloaded from the Compliance Department website.
 - 1.3 Employees shall not accept money or other gifts as incentives for enrolling participants in research studies, or for any other participation in research efforts, regardless of the party/department/corporation/vendor sponsoring the research
 - 1.4 Equipment provided for trial, loan, evaluation, or as a gift, shall be approved by the senior vice president responsible for medical equipment.
 - 1.5 Vendors shall be precluded from supplying food, either directly or indirectly (e.g., providing funds to purchase food) for any LLUMC functions.
 - 1.6 LLUMC employees shall not directly accept free or discounted drug samples, medical devices, vouchers or other supplies from vendors.
 - a. Donations of drug samples by vendors are subject to the following provisions:
 - 1) Donations of drug samples by vendors to physicians are governed by Policy [Use and Storage of Sample Medications in Hospital-Based Clinics \(R-25\)](#).
 - 2) Donations of drug samples for inpatient use are controlled through pharmacy leadership and guided by Policy R-25.

3) Donations of medical device samples are managed through the Medical Devices Committee.

- b. Free samples shall not be used by LLUMC employees, or given to their friends or family members. Free samples shall never be sold.
- c. Policy R-25 shall govern other procedures related to Drug and Medical Device samples not covered by this section.

2. SPONSORSHIP

2.1 Vendor support of trainees, such as scholarships or other training opportunities, may serve a legitimate educational function, but the interaction between the sponsoring vendor and the educational activity shall be coordinated in such a fashion that undue influence is minimized and/or eliminated. The activity shall comply with the following guidelines:

- a. All funds must be given centrally to LLUMC Administration and may not be provided directly to an individual.
- b. The department, program or division must have sole discretion to determine how the funds are to be used. The department, program or division should have total discretion deciding which student(s) or trainee(s) receive support.

NOTE: This provision may not apply to national or regional merit-based awards, which are considered on a case-by-case basis.

- c. The department, program or division and the recipient is not subject to an implicit or explicit expectation of providing something in return for the support, i.e., a “quid pro quo.”

2.2 LLUMC employees shall not accept from vendors any payment, subsidy, or reimbursement of any travel or lodging expenses for a spouse, family member or guest accompanying LLUMC employee to any meeting or conference. LLUMC employees may accept personal sponsorship of travel expenses provided all of the following conditions are satisfied:

- a. The travel is related to purchasing/procurement of materials/ equipment/ supplies/ services and the travel is necessary to make an informed decision on the purchase/ procurement, and
- b. All vendors who have submitted bids agree to contribute equal amounts toward the travel sponsorship based on a threshold established by LLUMC. The threshold shall be computed by taking the estimated total cost of the travel and dividing such cost equally among the vendors. If one or more vendors decline to contribute, LLUMC shall not accept any contribution from the other vendors and shall either pay for the travel expenses or forego the travel, and

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- c. A written request, which includes a description of the purpose and nature of the travel, is submitted to the Compliance Department, and the Compliance Department confirms in writing that the travel meets all the required conditions for sponsorship.
- 2.3 LLUMC employees shall evaluate very carefully their own participation in meetings and conferences that are fully or partially sponsored or run by Industry because of the high potential for perceived or real conflict of interest.
 - a. While LLUMC acknowledges that one of the most common ways to disseminate new knowledge is through educational events, educational events sponsored by vendors may serve as little more than an extension of the marketing department of the companies that support the programming. Individuals who actively participate in meetings and conferences supported in part or in whole by vendors, e.g. by giving a lecture or organizing the meeting, shall follow these guidelines:
 - 1) Financial support provided by vendors is fully disclosed by the meeting sponsor, and
 - 2) The lecturer is solely responsible for the content of the lecture and/or meeting and is expected to provide a fair and balanced assessment of therapeutic options and to promote objective scientific and educational activities and discourse. Slides and other educational materials are prepared by the lecturer, and
 - 3) The meeting organizer is not required by a vendor sponsor to accept advice or services concerning speakers, content, or meeting organization as a condition of the sponsor's contribution of funds or services, and
 - 4) The lecturer makes clear that the content reflects individual views and not the views of LLUMC or any other LLUH entity.
- 2.4 Vendors who express a desire to financially support educational activities provided at LLUMC shall be directed to the Office of Philanthropy. The use of such donations shall be at the sole discretion of LLUMC.
- 2.5 Corporate sponsorship of LLUMC and/or one of its divisions shall be approved by the division administrator.

APPROVED: Hospital Executive Leadership, LLUMC Chief Executive Officer