



# FAQ

## FREQUENTLY ASKED QUESTIONS

BUSINESS COURTESIES, GIFTS & SUPPLIER RELATIONS



**CONE HEALTH®**

*A supplement to Code of Conduct*

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For questions about this FAQ, please contact Audit and Compliance Services by phone at **336-832-7073** or by email at **[compliance@conehealth.com](mailto:compliance@conehealth.com)**.





## Business **COURTESIES,** **GIFTS** and Supplier **RELATIONS**

Cone Health deals with many suppliers. It is our policy to select suppliers on the basis of objective factors such as price, quality, performance, customer service assistance and reputation.

Cone Health does not conduct business through the improper use of business courtesies, gifts or relationships. It is against the law and Cone Health policy to give or receive any remuneration either in return for or to induce: (a) a patient referral or (b) the purchase or lease of a service or item. Remuneration is defined as anything of economic value, including kickbacks and bribes (whether in cash or in-kind). For example, acceptance of cash or a cash-equivalent gift (such as a coupon or gift card) is not allowed. Also, the opportunity to earn money may be considered remuneration.

You should not accept or solicit any benefit from an existing or potential supplier that might compromise or appear to compromise your objective assessment of the supplier's products or services.

You should refrain from requiring a supplier to give up trade with our competitors or to purchase our products or services in order to obtain or retain their supply agreement with us. You must also respect and protect any confidential or proprietary information shared with you by a supplier.

Finally, you may not solicit or use your position with Cone Health to obtain a special discount or other favorable treatment (e.g., free gift) for yourself or others not extended by the supplier to all Cone Health team members.

Team members must disclose offers of gifts or gratuities to their leaders or Audit and Compliance Services. Because every business situation is unique, offers of gifts or gratuities may require review by Audit and Compliance Services to determine if acceptance of the gift or gratuity is appropriate.

## Our Commitments



## Our Strategic Priorities



## Our Values



# iCARE

## Commitments to Care.

### *Communication*

**i** will create and engage in conversations of possibility.

### *Accountability*

**i** will honor my word.

### *Respect*

**i** will assume the best of intentions and embrace differences.

### *Empowerment*

**i** will own it, solve it, and celebrate it!

# Doing the **RIGHT THING**

*Frequently Asked Questions on Business Courtesies, Gifts & Supplier Relations* examines scenarios involving gifts, meals and entertainment that are common to Cone Health team members as they interact with vendors. This FAQ contains questions and answers designed to help our team members

follow the Cone Health policies on gifts and entertainment and conflicts of interests.

If you have any questions regarding the FAQ, please contact Cone Health Audit & Compliance Services.

## **RELATIONSHIPS** with **VENDORS**

**QUESTION:** Does Cone Health have policies to help decide whether a team member's interactions with a vendor are appropriate?

**ANSWER:** Yes. Cone Health has three resources that apply to team member relationships with vendors:

- Policy on Business Courtesies, Gifts and Supplier Relations
- Policy on Conflicts of Interest
- Cone Health Code of Conduct

These documents are available at Cone Connects.





## GIFTS

**QUESTION:** A pharmaceutical sales representative stops by the Cone Health Medical Group Primary Care Practice and drops off a box of pens, coffee mugs and note pads that are printed with the vendor's contact information. A week later, the device rep stops by with a Microsoft Surface Pro. Is this okay?

**ANSWER:** The pens, coffee mugs and note pads are acceptable. The Surface Pro is not acceptable.

**ANALYSIS:** The Cone Health Policy on Business Courtesies, Gifts and Supplier Relations states, "Cone Health team members may occasionally accept gifts of nominal value that are intended to be used in the work place, such as coffee mugs, note pads, pens, stress toys and other promotional items." The policy also states that "gifts that are intended for the personal benefit of the Cone Health team member shall not be accepted."

The box of pens, coffee mugs and note pads are of minimal value and would be acceptable if provided on an occasional basis. However, the Surface Pro cannot be accepted because it is not of minimal value and primarily benefits the team member (e.g., it can be used for purposes that are not work-related and does not necessarily benefit Cone Health or its patients).

One caveat should be noted: Cone Health allows department leaders the flexibility to set a more restrictive policy (e.g., no gifts even if of nominal value). Therefore, team members should refer to their departments' operating manual or ask their supervisor prior to accepting such gifts.

# MEALS

**QUESTION:** A software vendor would like to meet with the Health Information Management (HIM) Department to discuss a new product. The vendor offers to bring lunch for HIM staff during the meeting. Is this acceptable?

**ANSWER:** No. The software vendor cannot provide lunch to HIM staff as part of a “sales call” to market a new product.

**ANALYSIS:** The Cone Health Policy on Business Courtesies, Gifts and Supplier Relations states, “Perishable or consumable gifts given to a department by a vendor or business associate are acceptable only if (i) provided in conjunction with an educational or scientific presentation/meeting and the meal is of modest value or (ii) if in accordance with accreditation standards for educational programs.”

The key factor is that there must be an educational or scientific benefit to Cone Health and its patients; meetings that are purely for marketing purposes will not suffice. Also, the meal must be of modest value and provided on an occasional basis.

**QUESTION:** A medical device representative would like to provide lunch for Med/Surg staff when presenting an educational session. Is this okay?

**ANSWER:** Yes. Lunch may be provided by the medical device representative during the course of an educational presentation if the meal is of modest value.

**ANALYSIS:** The Cone Health Policy on Business Courtesies, Gifts and Supplier Relations states, “Perishable or consumable gifts given to a department by a vendor or business associate are acceptable only if (i) provided in conjunction with an

educational or scientific presentation/meeting and the meal is of modest value or (ii) if in accordance with accreditation standards for educational programs.”

The key factor is that there must be an educational or scientific benefit to Cone Health and its patients; meetings that are purely for marketing purposes will not suffice. Also, the meal must be of modest value and provided on an occasional basis.

**QUESTION:** Once a month, a pharmaceutical sales representative stops by the Cone Health Medical Group Dermatology Clinic, drops off a couple boxes of pizza for practice staff, and then leaves. Is this okay?

**ANSWER:** No. Merely dropping off food is not acceptable. Once in a while, a food basket for a special occasion may be accepted if the value is nominal.

**ANALYSIS:** The Cone Health Policy on Business Courtesies, Gifts and Supplier Relations states, “The provision of ‘take-out’ meals or meals to be eaten without the vendor or business associate being present (known as “dine & dash” programs) is not appropriate. However, an occasional consumable gift (such as a food basket for a special occasion) is acceptable as long as the value is nominal, and the items are shared among department team members.

**QUESTION:** A software vendor wants to take you to lunch to discuss a new product. Is this okay?

**ANSWER:** Yes, provided that the value of the meal is modest, and that such meals are infrequent and provided on a reciprocal basis.



# ENTERTAINMENT

**QUESTION:** A medical device representative offers to send a Triad HealthCare Network Department Supervisor on an all-expense paid skiing trip to Denver, Colorado. There is no business purpose to the trip (e.g., to examine a large and complicated piece of equipment). Instead, the medical device representative is offering the trip as a “thank you” for being a loyal customer. Is this acceptable?

**ANSWER:** No. As a rule of thumb, activities that are purely entertainment or recreational in nature are not acceptable because such gifts, at a minimum, give the appearance of impropriety. This includes recreational activities such as hunting, fishing, boating, skiing or golfing.

**ANALYSIS:** The Cone Health Policy on Business Courtesies, Gifts and Supplier Relations states the following:

- “When purchasing goods or services, Cone Health team members must not even give the appearance of impropriety such as, for example, that the purchase was influenced by a bribe or kickback, or by personal enrichment in the form of a gift or free entertainment, or as a favor to a friend or relative.”
- “Cone Health team members shall not accept, offer or solicit money, gifts or otherwise enter into a relationship with a business associate that could influence (or appear to influence) their decisions on behalf of Cone Health or create a conflict of interest.”
- “In general, gifts that are intended for the personal benefit of the Cone Health team member shall not be accepted.”

**QUESTION:** Once in a while a vendor representative invites a Triad HealthCare Network (THN) team member to attend a sporting event with the vendor representative. Is this acceptable?

**ANSWER:** Yes. In order to build upon a legitimate business relationship with a vendor, Cone Health and/or THN team members, on an occasional basis, may accept a ticket to a sporting or other social event that the vendor representative is also attending.

**ANALYSIS:** In general, gifts that are intended for the personal benefit of Cone Health team members shall not be accepted. However, Cone Health recognizes that some level of social interaction between team members and vendors can foster open communication and build upon legitimate business relationships that ultimately benefit Cone Health. In the case of a ticket to a sporting or other social event, Cone Health team members may accept the ticket only if:

- The costs of the event are reasonable and appropriate.
- There is no reimbursement for travel costs or overnight lodging.
- Such events are infrequent.
- The meeting is primarily focused on business, rather than entertainment.

**QUESTION:** A vendor gives Season Tickets to a sporting or other social event to a Cone Health team member. Is this ok?

**ANSWER:** No, it is never appropriate for Cone Health team members to accept Season Tickets.

**ANALYSIS:** Based on the four criteria specified on page nine, a gift of Season Tickets would violate the requirement that “such events are infrequent.”

**ANSWER:** No, it is never appropriate for Cone Health team members to accept tickets that are purely for entertainment purposes.

**ANALYSIS:** Based on the four criteria specified on page nine, a gift of tickets would violate the requirement that “The meeting is primarily focused on business, rather than entertainment.” In this case, since the vendor is not present at the sporting or social event, the gift of tickets is purely for entertainment and no business is conducted.

**QUESTION:** A vendor gives tickets to a sporting or other social event to a Cone Health team member to use as the team member desires (e.g., to take spouse, friend or other Cone Health team members). Is this ok?

## Examining PRODUCTS

**QUESTION:** Your department is interested in purchasing an expensive and complicated piece of equipment. The vendor has invited you to come to the vendor’s headquarters to examine the equipment firsthand and has offered to pay your travel expenses. Is this okay?

**ANSWER:** Yes, if you obtain approval from your Supervisor, a legitimate business purpose is clearly defined, and the travel expenses are reasonable and appropriate.

**ANALYSIS:** Cone Health’s “Policy on Business Courtesies, Gifts and Supplier Relations” states:

“In conjunction with a Request for a Proposal (“RFP”) or a purchasing decision, a vendor may invite you to

examine the vendor’s products or services. In this situation, it may be appropriate for the vendor to pay for the travel expenses and overnight accommodations of the Cone Health team member. These offers may be accepted only if you have obtained prior approval from your Supervisor and the following requirements are met:

- A legitimate business purpose is clearly defined (for example, to examine biomedical equipment for purchase).
- The travel expenses and overnight accommodations are reasonable and appropriate.”



## Charitable **FUNDRAISING**

**QUESTION:** A Cone Health hospital is sponsoring a charitable golf tournament to raise funds for its Oncology Department. A vendor has purchased tickets and has invited a Cone Health team member to attend the golf tournament with the vendor. Would it be okay for the team member to accept the ticket?

**ANSWER:** Because the ticket is for a Cone Health charitable event, the team member may accept the ticket subject to disclosure to and approval by the team member's Supervisor. The team member's Supervisor should determine whether the team member may participate in the charitable golf tournament based on the following Cone Health policies:

- Policy on Conflicts of Interest
- Policy on Policy on Business Courtesies, Gifts and Supplier Relations

- Policy on Charitable Fundraising Activities

**ANALYSIS:** The team member can participate in the event as long as it is on an occasional basis (in this case, the golf tournament is held annually) and the team member's Supervisor has determined that there would not be a conflict of interest (or appearance of a conflict of interest) based on the team member's job responsibilities and the team member's relationship with the vendor.

Note: Another option is that the vendor could purchase a slot of tickets, use some of the tickets for the vendor's staff, and then return any unused tickets to Cone Health Institutional Advancement to distribute to Cone Health team members as the Cone Health hospital chooses.

# How to **POLITELY SAY “NO”** to a **GIFT**

**QUESTION:** Sometimes a vendor will insist upon providing a gift, or mail an unsolicited gift to a team member, or even drop off a gift when no one is around to refuse. What should team members do in these situations?

**ANSWER:** If you are offered a gift from a vendor, you should politely decline the gift, and inform the vendor about Cone Health’s “no-gift” policy. You should also request that vendors respect Cone Health’s Business Courtesies policy and ask the vendor not to provide gifts to anyone at Cone Health.

Below are options if a team member or department nonetheless receives a gift:

- Where possible, return the gift to the vendor.
- If it is not feasible to return the gift to the vendor, consider the three options below:
  - Share the gift with the entire department.
  - Donate the gift to a charitable purpose.
  - Discard the gift.
- Gifts of food are likely to occur during the holidays. Any gifts of food must be shared with the entire staff even if addressed to a single team member. A team member cannot take a gift of food home; instead, gifts of food must be shared with all department staff.

**QUESTION:** A team member received an unsolicited \$100 gift card from a vendor. The vendor mailed it to the team member in appreciation for completing a survey. The gift card was a total surprise - there had never been any prior communication or expectation about it, and the survey was a fairly normal thing that a team member might typically do for a Cone Health vendor. What is the appropriate thing to do with that gift card?

**ANSWER:** For one-time unexpected gifts, you have the following options:

1. Use the card to buy items/supplies for your department.
2. Use the card to donate items/supplies for indigent patients.
3. Donate the card to a charitable organization or use it to buy supplies for a charitable organization (e.g., Toys for Tots, etc.).

Bottom line, the gift cannot be used to personally enrich a Cone Health team member, but could be used for the charitable benefit of a Cone Health department or another charitable entity.



**QUESTION:** A patient was grateful for the compassionate care provided by a nurse, so the patient gave the nurse a card and asked the nurse not to open it until she got home. When the nurse got home and opened the card, she found that it contained \$100 in cash. The nurse called the patient's wife and son and told them that she could not accept the card. However, the patient's son stated that his father would be deeply offended if the nurse did not take the card.

The nurse knew that Cone Health team members are not supposed to accept gifts from patients, but she didn't want to insult the patient by rejecting the gift. What should the nurse do?

**ANSWER:** For one-time unexpected gifts, you have the following options:

1. Use the cash gift to buy items/supplies for your department.
2. Use the cash gift to donate items/supplies for indigent patients.
3. Donate the cash gift to a charitable organization or use to buy supplies for a charitable organization (e.g., Toys for Tots, etc.).

Bottom line, the gift cannot be used to personally enrich a Cone Health team member, but could be used for charitable benefit of a Cone Health department or another charitable entity.

For example, the nurse could donate the cash to a Cone Health charitable initiative by contacting the Cone Health Office of Institutional Advancement. Institutional Advancement will receive the cash and deposit it to a restricted fund, such as Nursing Education or Caring for Each Other. Institutional Advancement can also record the gift under the patient's name and can list it as being made in honor of the particular nurse(s). The patient will be sent a thank you letter from Institutional Advancement. Or, if preferred, the gift can be entered as an anonymous gift, and no letter would be sent to the patient/donor.

You may contact the Office of Institutional Advancement at 336-832-9450 or by email at [institutional.advancement@conehealth.com](mailto:institutional.advancement@conehealth.com).

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