

MEDICARE COMPLIANCE PROGRAM

POLICY NUMBER

POLICY: GIFTS TO INDIVIDUALS

POLICY STATEMENT:

All employees, contractors, and other personnel conducting business for The Agency will adhere to the policies and procedures of this compliance program and the Code of Conduct with regard to the acceptance of gifts.

1. No person conducting business for The Agency shall knowingly receive or give, distribute or otherwise convey, either directly or indirectly, any gift, as defined below to any person whom he/she knows or has reason to know is currently doing business with The Agency, or that The Agency is seeking to do business with in the future.

Persons doing business with The Agency include patients of The Agency. Therefore, a gift to or from a patient should also be limited as defined below.

3. Persons are individually accountable for their acceptance and conveyance of gifts for each calendar year.

If you have a concern or question about whether an item is acceptable, you are required to seek clarification directly from the Administrator. Reports of violations of this policy should be made directly to the The Agency Compliance Officer.

DEFINITION OF “GIFT:”

A “Gift” is defined as anything of value, which is directly and personally received or conveyed, unless consideration of equal or greater value is given in return. A “Gift” shall NOT include the following. This list is not all-inclusive.

1. Goods or services whose individual value is less than \$50.00, up to a total value of \$300.00 per calendar year per individual. These values correspond to what the Center for Medicare/Medicaid Services (CMS) has determined to be de minimis” compensation, and could change if the CMS definition is adjusted at any time;
2. A certificate, plaque, or other ceremonial award costing less than \$50.00;
3. A rebate, discount, or promotional item available to the general public;
4. Printed or recorded informational material germane to The Agency action or functions;

5. Food or beverage or both, costing less than \$50.00 in the aggregate per recipient in a calendar year, and consumed on an occasion or occasions at which the person paying, directly or indirectly, for the food or beverage, or his representative, is in attendance;
6. A gift including but not limited to, food or beverage or both, provided to or by an individual for the celebration of a major life event or holiday.
7. Admission to a charitable or civic event, including food and beverage provided at such event, but excluding travel or lodging expenses, at which a The Agency employee participates in his/her official capacity, provided such admission is provided by the primary sponsoring entity;
8. Anything having a value of not more than \$10.00, provided the aggregate value of all things provided by a donor to a recipient under this subdivision in any calendar year shall not exceed \$50.00. For example: if a company representative wanted to provide a calculator or a ball point pen valued at \$20.00, you could not accept the item because the item would exceed the \$10.00 maximum.
9. In general, a "Gift" of travel and/or lodging is not acceptable, however necessary expenses received for an article, appearance or speech, or for participation at an event, in the employee's official capacity are acceptable.