



Vice President and Chief Executive Officer of the Medical Center

MEDICAL CENTER POLICY NO. 0008

A. SUBJECT: Gifts, Gratuities, and Interactions with Vendors

B. EFFECTIVE DATE: October 1, 2011 (R)

C. POLICY:

This policy applies to offers of gifts or gratuities to all persons providing patient care or other services within or for the benefit of the Medical Center, regardless of employer (“Covered Persons”). This policy further provides specific guidance to Covered Persons with regard to their interactions with vendors at the University of Virginia. Employees of the Medical Center and the University are subject to the State and Local Governmental Conflict of Interests Act and the Ethics in Public Contracting Section of the Virginia Public Procurement Act of the Code of Virginia. This policy incorporates the requirements of these Acts, and in some instances imposes more stringent requirements. Covered Persons are also expected to adhere to the National Association of Educational Buyers Code of Ethics available at:

http://www.naepnet.org/iMIS15_PROD/Public/About/GOVERNANCE_POLICY/CODE_OF_ETHICS/Public/Navigation_Items/About_NAEP/CODE_OF_ETHICS.aspx?hkey=c6a9ba90-6eed-4002-a22e-87470866cca6

To the extent that this policy exceeds the requirements of state law or other codes of conduct, this policy shall control.

D. PROCEDURE:

1. Covered Persons shall not, directly or indirectly:
 - a. Solicit or accept money, loans, advances, favors, special discounts, services, or gifts of any kind and regardless of value, for services performed within the scope of their official duties except for compensation, expenses or other remuneration paid directly to them or approved for them by the Medical Center or the University;
 - b. Offer, solicit or accept money or anything else of value for or in payment of employment, an appointment, a promotion or a privilege within the Medical Center or University, except for compensation, expenses or other remuneration paid directly to them or approved for them by the Medical Center or the University;
 - c. Solicit or accept promotional items (i.e., pens, note pads, cups or similar items), of any kind and regardless of value, from any Medical Center or University vendor, sales or service representative (hereinafter collectively referred to as “Vendor” or “Vendors”). Covered Persons may accept items of nominal value having a legitimate educational purpose (i.e., brochures, pamphlets, training videos or similar items) for use by Covered Persons or patients;

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- d. Solicit or accept food or beverage, of any kind and regardless of value, from any Vendor of the Medical Center or the University from any Medical Center or University vendor on the grounds of the Medical Center or on University grounds. Funds given to the University or Medical Center without restrictions on their use (“unrestricted gifts”) may be applied to provide food or beverage at an educational event or function. Covered Persons may accept meals or beverages from vendors when offered off site to a large group of people at a trade show, exhibit or other professional meeting. Meals may be provided with funds from non-commercial sources in accordance with other applicable Medical Center or University policies;
 - e. Solicit or accept meals, gifts or compensation, of any kind and regardless of value, for listening to a Vendor presentation, whether occurring on site or off site;
 - f. Solicit or accept any product samples, for personal or family use, including but not limited to medication samples or ancillary product samples such as infant formula, lotions, etc.
 - g. Use Medical Center resources (e.g., e-mail, messenger mail, or mailing lists) to advertise or disseminate information about off-site educational or promotional events that are directly sponsored, funded or organized by Vendors ([see Medical Center Policy 0193, “Electronic Mail”](#) and [Medical Center Policy 0202, “Internet and Intranet Access/Usage”](#));
 - h. Meet with Vendors in patient care areas. Patient care areas exclude physician offices, but include patient units, nursing stations, conference rooms located in patient care units, physician lounges, patient care areas of outpatient offices (including clinics located off-grounds), surgical areas or the Emergency Department. Exceptions may be made for in-service training (i.e., when a Vendor is on site to conduct instruction on the use of specific devices or equipment) or technical consultations (i.e., Vendor presence during procedures or for equipment repair or maintenance) conducted in accordance with [Medical Center Policy 0013, “Vendors, Sales and Service Representatives”](#), and other relevant Medical Center policies; or
 - i. Permit Vendors to see patients, review records, or attend rounds or surgical procedures. Exceptions may be made only in accordance with [Medical Center Policy 0013, “Vendors, Sales and Service Representatives”](#), [Medical Center Policy 0092, “Release of Patients’ Protected Health Information”](#), and other relevant Medical Center policies.
2. Additionally, Members of the Clinical Staff, Graduate Medical Trainees, or Allied Health Professionals, shall not :
- a. solicit or accept gifts or compensation, of any kind and regardless of value, for simply attending a GME, CME, or other educational or instructional event or activity, whether on site or off site; or
 - b. solicit or accept gifts or compensation, of any kind and regardless of value, for prescribing or changing a patient’s prescription or for prescribing or using a particular medical device; or

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- c. publicly acknowledge, or cause to be acknowledged, the source of any support received in the form of an unrestricted gift from any vendor or commercial sponsor
3. A Covered Person may accept Vendor paid travel provided such travel is approved in advance by the Chief of the area in which the Covered Person is employed, with written confirmation from Medical Center Procurement demonstrating that the travel is (a) in conjunction with a procurement process for the benefit of the Medical Center; or (b) for purposes of product inspection by a Covered Person; or (c) necessary for the training and education of a Covered Person (see [Medical Center Policy No. 0015, "Travel Reimbursement"](#) and [Medical Center Policy No. 0189, "Medical Center Procurement Guidelines"](#)).
4. Vendors or other commercial sponsors may only provide support for educational conferences, programs, and events through unrestricted gifts made as a provided in Section D.4 below and in accordance with other applicable Medical Center and University policies. All clinical educational conferences, programs and events conducted by or for Clinical Staff, Graduate Medical Trainees and/or Allied Health Professionals must conform to the Accreditation Council for Continuing Medical Education ("ACCME") guidelines, the Accreditation Council for Graduate Medical Education ("ACGME") guidelines, or other applicable guidelines, whether or not credit is awarded, and must otherwise comply with all relevant Medical Center and University of Virginia policies and guidelines relating to educational and professional activities.
5. Proposals and offers from Vendors shall be referred to the appropriate Health System or University office for approval, where they shall be reviewed, evaluated and documented as may be required:
 - a. Research grants, and contracts in which University personnel provide consulting and other services to a Vendor – School of Medicine Grants and Contracts Office;
 - b. Vendor's offer of a service or product – Medical Center Procurement (Medical Center); University Procurement Services (Schools of Medicine and Nursing, Health Sciences Library);
 - c. Gifts to the Medical Center and/or University– Health System Development Office;
 - d. Sponsorships of educational conferences, programs and events –Medical Center Procurement (Medical Center); University Procurement Services (Schools of Medicine and Nursing, Health Sciences Library); Continuing Medical Education Office; Graduate Medical Education Office;
 - e. Vendor grants to support the stipend and benefits of post-graduate fellows- Graduate Medical Education Office;
 - f. Unrestricted gifts in association with a specific educational activity or other purpose as permitted – Medical Center Procurement Office; University Procurement Services; Continuing Medical Education Office; Graduate Medical Education Office.

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SIGNATURE:



R. Edward Howell, CEO, UVA Medical Center



DATE:

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Approved June 1983

Revised August 1990, May 1996, September 1998, May 1999, March 2001, September 2001, May 2004, July 2008, September 2008, September 2011

Approved by Special Advisor to CEO

Approved by Medical Center Administration