
Subject: Vendor Visitation and Interaction

Index Number: HARCO-3044

Section: Compliance and Ethics

Subsection: General

Category: Corporate

Contact: Compliance Officer

Last Revised: 3/14/19

References:

Not Applicable

Applicable To:

This policy applies to all employees of Gundersen Harmony Care Center and all vendors that conduct business with Gundersen Harmony Care Center.

Detail:

Admittance to Gundersen Harmony Care Center by a vendor is a privilege, not a right. Vendors that conduct business with Gundersen Harmony Care Center must do so in accordance with this policy and all other Purchasing Department and other applicable Gundersen Harmony Care Center policies. Application of this policy and ongoing monitoring is the responsibility of all Gundersen Harmony Care Center employees (see Related Documents section). Gundersen Harmony Care Center employees are expected to uphold the highest professional standards in interactions with all vendors and must report actual or alleged violations of these guidelines to the Business Office or the Compliance Officer.

Actual or alleged violations of this policy may also be reported on an anonymous basis to Gundersen Health System's Compliance Hotline:

Local Phone Number.....(608) 784-0477

Toll-Free Number.....(877) 532-8879

Email..... Available on Gladiator, Gundersen's Intranet

DEFINITIONS

Campus shall mean all property owned or rented for occupancy by Gundersen Harmony Care Center.

Gift is considered anything of monetary value such as a gratuity, favor, entertainment, loan, reward, pens, notepads, meals, other food items, or any vendor promotional items, such as items with a Vendor logo or items promoting a vendor's product or service.

Exclusions from the definition of a Gift (these items are acceptable and may be received by employees):

1. Genuine educational materials such as textbooks, pamphlets, medical journals or models, if the materials benefit the organization or patients. (Note: These items are acceptable even if they include the Vendor's logo).

2. Reasonable honoraria and reimbursement for reasonable travel, lodging, registration fees and meal expenses when staff serves as a legitimate faculty member at a professional meeting or continuing education conference.
3. After hours off-campus or off-site meals or entertainment activities or events sponsored by Vendors if the meal or activity is modest (less than \$50 per meal and \$338 in the aggregate per year) and when educational meetings occur in conjunction with such meal. (Note: On-campus food, drink or meals provided by Vendors is prohibited).
4. Samples requested or used for patient care activities or legitimate business purposes if allowed by the department or regional clinic.
5. Items provided at a discount as part of a Gundersen Harmony Care Center contract.
6. A rebate or discount that is made in the regular course of business to members of the public without regard to their status as a Gundersen Harmony Care Center staff member (e.g., a coupon in the newspaper for a discount on a pain reliever).
7. Items with vendor name or logo provided by the organizers of a professional meeting that are available to all attendees when the meeting is conducted under national continuing education accreditation body guidelines (e.g., a tote bag with a Vendor's name on it). However, such items may not be brought onto Gundersen Harmony Care Center premises.
8. Vendor or patient donations (product or monetary) to Gundersen Harmony Care Center's Foundation.
9. Non-monetary industry or professional awards.

Vendor is a company or its representative or the agent of a company that either produces or markets: drugs; devices; nutritional products; other products or services; information technology software or hardware equipment; or who serves as a consultant.

Vendor certification process is completed by the Gundersen Harmony Care Center's Business Office. Background checks include:

- a. OIG List of Excluded Individuals/Entities
(www.exclusions.oig.hhs.gov/search.html)
- b. OFAC Search (<http://www.instantofac.com/>)
- c. GSA's System for Award Management (SAM)

Following this a W-9 is requested to be filled out by vendor and this is submitted to Gundersen Health System's Accounts Payable department. Following this, the Gundersen Health System Compliance Office conducts monthly screenings via the Background Screening Application (BSA) for Gundersen Harmony Care Center's vendors.

The vendor certification process, as defined herein, does not apply to vendors who have been classified as exempt by the Gundersen Health System's Purchasing Department. Examples of exempt vendors include:

1. City, county, state and federal agencies
2. Corporate entities who provide legal or financial services to Gundersen
3. Representatives of regulatory agencies
4. Potential vendors

NOTE: A complete listing of exceptions will be maintained in writing by the Gundersen Health System's Purchasing Department. NOTE: A complete listing of exceptions will be maintained in writing by the Purchasing Department.

Implementation:

	Responsible Party/Action
General	<p>Vendors who do not provide all required documentation during the registration process will not be authorized to conduct business at Gundersen Harmony Care Center until all registration requirements are met.</p> <p>Vendors must acknowledge adherence to all required policies and statements during the registration process. These documents may include but are not limited to:</p> <ol style="list-style-type: none"> 1. Compliance Policies & Standards of Conduct 2. Business Associate Agreements and/or other Confidentiality Statements 3. Purchasing Policies 4. Vendor Visitation and Interaction Policy 5. Requirements for Vendor Representatives in Patient Care Areas, if applicable 6. Safety Policies, if applicable 7. Cell Phone Usage Policy 8. Parking Policy
Vendor Representative Access	<p>Vendor access to Gundersen Harmony Care Center and its personnel will be controlled. Vendor representatives are highly encouraged to have a pre-scheduled appointment prior to their visit.</p> <p>Vendor representatives who wish to be present during any patient procedure must adhere to the policy entitled <i>Requirements for Vendor Representatives in Patient Care Areas</i>.</p> <p>Employees may request to inspect a vendor representative's identification badge. Vendor representatives without proper identification badges shall be directed to the Administrator and/or Business Office. Uncooperative vendor representatives or those in violation of policies shall be escorted off the premises.</p> <p>Gundersen Harmony Care Center reserves the right to limit the number and duration of time a vendor representative can visit a Gundersen Harmony Care Center location.</p>
Food and Beverage	<p>Food or drink provided by or paid for by vendors is prohibited at Gundersen Harmony Care Center.</p>
Displays	<p>Vendors are not allowed to display product or product information within Gundersen Harmony Care Center.</p> <p>Vendors cannot place information in mailboxes of staff or post materials on bulletin boards within Gundersen Harmony Care Center. Vendors may provide only requested information.</p>

Promotional Activities	<p>Incentive programs, raffles, lotteries or contests which result in gifts to the winner are forbidden.</p> <p>Vendors are not allowed to distribute or post unsolicited printed or handwritten material, advertisements or signs at Gundersen Harmony Care Center.</p> <p>Promotion of drugs against established drug policies is strictly prohibited. Vendors who discuss such agents will be suspended from visiting Gundersen Harmony Care Center pending review of the event.</p>
Samples	<p>Samples are controlled by the Department Manager</p>
Educational Programs	<p>Vendors shall not attend programs in which specific residents are identified or when quality assurance or risk management issues are presented.</p> <p>Donations must be coordinated through Gundersen Harmony Care Center Foundation. Vendors shall contact Gundersen Harmony Care Center Foundation directly if they are interested in making a donation.</p> <p>Continuing education donations should be made through Gundersen Harmony Care Center Foundation. Educational materials should be balanced in presentation and should not directly market a product or company; however, the educational material can include the creators name and company.</p>
Grants/Gifts	<p>Gifts, as defined herein, are not permitted at Gundersen Harmony Care Center nor shall they be given to any employee.</p> <p>Educational grants must go through the Gundersen Harmony Care Center Foundation.</p>
Confidentiality	<p>Vendors shall not attend programs in which specific residents are discussed or when quality assurance or risk management issues are presented.</p> <p>Employees shall not share, information from a resident’s chart, internal reports, communications, minutes, or other documents intended for internal distribution with vendors. Except as described in the policy entitled <i>Requirements for Vendor Representatives in Patient Care Areas.</i>, resident schedules shall not be shared with vendors.</p> <p>Vendors shall not solicit competitive cost information from Gundersen Harmony Care Center employees.</p>
Compliance	<p>Employees shall report actual or alleged violations of these guidelines to the Business Office or Compliance Officer.</p> <p>Actual or alleged violations of this policy also may be reported on an anonymous basis to Gundersen Health System’s Compliance Hotline:</p>

	<p>Local Phone Number.....(608) 784-0477 Toll-Free Number.....(877) 532-8879 Email..... Available on Gladiator, Gundersen’s Intranet</p> <p>Reported violations of this policy will be investigated by the Compliance Officer.</p> <p>Vendors who violate this policy will be addressed as follows:</p> <ul style="list-style-type: none"> • 1st violation – Warning letter to the individual and their supervisor, and may also lead to visitation privileges suspended for 30 days. • 2nd violation – Visitation privileges suspended for 30 days • 3rd violation – Barred from the facility permanently
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Question and Answers
Frequently Asked Questions

General Policy Q and A:	
1. What is a conflict of interest?	A conflict of interest is a situation where an employee has a private or personal interest sufficient to appear to influence the objective exercise of his or her official duties and/or professional judgment especially if those interest or commitments are not disclosed.
2. What is a potential conflict of interest?	A situation that may develop into an actual conflict of interest.
3. What is an appearance of a conflict of interest?	A reasonable person would believe that a situation exists where official duties or professional judgment would be compromised. The mere appearance of a conflict may be as serious and potentially damaging as an actual conflict.
4. How do I determine if I have a conflict of interest?	You should ask yourself if the situation would interfere or even have the appearance of interfering with the independent judgment you should show when performing your professional duties.
5. Why do we have to be concerned about conflict of interest?	There are laws that prohibit certain conflict of interest situations. In addition, conflicts of interest may adversely affect public perception of you

	and the organization, as well as, adversely affect internal perception.
6. Who are subject to conflict of interest and vendor policies?	All employees working and vendors associated with Gundersen Harmony Care Center.
7. Why is there a policy on conflict of interest related to relationships with vendors?	Gift giving has been a customary practice and has served an important and beneficial function for our employees and patients alike. But even when gift giving is practiced within established ethical boundaries, the perception of conflict of interest is raised and resident and public trust may be eroded. In addition, the relationships that vendors have with health care professionals have been and will continue to be closely scrutinized by the government.
8. Why do vendors give gifts to employees?	Gifts serve the function of reminders of the vendor company name and help vendors establish a relationship with us.
9. Why vendors might wish to comply with our conflict of interest policies?	Vendors have already placed their own restrictions on gifts and vendor interactions with clients. These types of policies are becoming common in the health care industry.
10. Who is going to enforce compliance with the guidelines?	The most important step will be educating or vendors regarding our policies. This education will be accomplished by Department Managers providing information to the vendor.
Gifts:	
1. May I accept vendor logoed items (i.e. pens, post-its, coffee mugs) that are given away by vendors at a conference that I attended?	You may accept the vendor logoed items, but you may not bring them to Gundersen Harmony Care Center work place.
2. I have post-its and pens that have a trade association's name on them. Can I bring them to work at Gundersen Harmony Care Center?	Trade associations are not considered vendors so items with their name or logo can be brought on campus as long as they do not also include a vendor's logo.
3. If I have a lunch bag with my bank's logo on it. Can I bring that to work at Gundersen Harmony Care Center?	If Gundersen Harmony Care Center does not consider your bank a vendor, that is, we do not pay them for services; the lunch bag can be used at Gundersen Harmony Care Center.

<p>4. One of the vendors that we regularly do business with has offered to give gift cards in appreciation for certain employees in our department. Is that okay?</p>	<p>No. The gift card is considered a “gift” as defined in our policies, and they cannot be accepted.</p>
<p>5. Vendors often engage third parties to provide departmental gifts at holidays. What should we do with those gifts?</p>	<p>You should donate such gifts to Harmony Community Healthcare Foundation. In addition you inform the vendor that we may no longer accept their “gifts” as the term is defined under our policies, and if they would like to make a donation, they can contact the Administrator who will direct them the Harmony Community Healthcare Foundation.</p>
<p>6. Are product samples allowed?</p>	<p>Yes; however, product samples must be requested and received by the Business Office as a no charge purchase.</p>
<p>7. Are drug samples allowed?</p>	<p>Yes, drug samples are allowed. Drug samples and other resident care items (such as food samples, blood sugar meters and strips, peri-care products, incontinent products and so on) are exempt from the definition of “gift” in our policies.</p>
<p>8. I received an anatomical model from a vendor and it has the vendor’s logo on it, is this allowed?</p>	<p>Yes, this would be considered educational material and is exempt from the definition of “gift” as defined under our policies.</p>
<p>Food and Beverages: 1. Why prohibit vendors from bringing food and beverages into Gundersen Harmony Care Center?</p>	<p>Even small gifts have been shown to engender a sense of obligation on the part of the recipient. Thus, gifts including meals provided by vendors, can influence our decision making process. The goal of these policies is to ensure objectivity on the business decisions made by Gundersen Harmony Care Center employees.</p>
<p>2. May vendors supply refreshments or food for educational activities sponsored by our department?</p>	<p>No. However, a vendor may donate funds to Harmony Community Healthcare Foundation and the Foundation will determine how those funds are used.</p>
<p>3. If a vendor is allowed to donate funds to the Foundation, and the Foundation decides to purchase</p>	<p>No, there is a significant difference. The Foundation, not the vendor, decides how the funds are distributed.</p>

food for other activities, isn't that the same as the vendor directly supplying food for the activity?	
4. May I attend a lunch with a vendor who wishes to discuss a new product for use by Gundersen Harmony Care Center?	You may attend the lunch to consider the product, but you may not allow the vendor to pay for the cost of your lunch. The vendor "treating lunch" would be considered a "gift".
5. A local restaurant is providing lunch at Gundersen Harmony Care Center for employees to purchase. Is the restaurant considered a vendor in this case?	The practice is allowed and the restaurant is not considered a vendor.
6. Is it okay to ask vendors to bring in snacks for an appreciation week for our employees?	No. Vendors are not allowed to bring food or beverages into Gundersen Harmony Care Center.
Education and Travel:	Vendors are permitted to provide educational grants to Harmony Community Healthcare Foundation.
1. What is the process for vendor companies to fund educational conferences?	
2. What if a vendor offers to provide education or presentations that are clearly not related to their product?	Education or presentations that are not related to the vendor's product need to be paid for by Gundersen Harmony Care Center.
3. Can I attend a vendor sponsored event or education session if it is at a restaurant and the vendor pays for the meal?	After hours or off site meals, entertainment or events sponsored by vendors and which include an educational component, are acceptable if the meal or activity is less than \$50 per meal/event and does not exceed \$338 in the aggregate per year and per vendor.
4. An employee attends an annual educational conference that is sponsored by a professional society/association and has been invited (by the conference and not a vendor) to give a presentation at the conference this year. Can a vendor pay for the employee making a presentation's travel and hotel cost? What about an honorarium for the speech, or the registration/admission fee?	No. In this example, the lecture would be considered service provided to the event organizer and not the vendor. Since the employee is not providing service to the vendor, payment by the vendor to the faculty member would be considered a "gift" and would not be allowed. Payment by the professional society/association, however, is allowed.

<p>5. If I attend an annual educational conference, can my travel and hotel costs be paid for by a vendor?</p>	<p>No. Our policies allow a vendor to cover reasonable travel and lodging costs, as well as payment of a reasonable honorarium only if the employee serves as a legitimate faculty member at the conference. No honoraria, travel or lodging costs may be covered by the vendor if the employee is simply attending the conference.</p>
<p>6. A vendor representative has made an educational grant to the Harmony Community Healthcare Foundation to support education. At the education meeting can I provide 5-10 minutes for the vendor to speak about their products?</p>	<p>No. Vendors are prohibited from promoting or marketing products as a part of education programs held at Gundersen Harmony Care Center. They are allowed to display information at an education meeting with permission from the Administrator.</p>
<p>Vendor Information Brochures/Leaflets: 1. Can vendor representatives place information in employee's mail boxes or request that information be distributed to employees?</p>	<p>No. Vendors cannot place information in the mailboxes of employees, nor may vendors post materials on bulletin boards within the Gundersen Harmony Care Center facility. Vendors may provide to employees only information requested by such employees.</p>
<p>Other considerations: 1. If I win a vendor logoed item can I bring it to Gundersen Harmony Care Center work?</p>	<p>No. You may accept the prize, but you may not bring <u>vendor logoed</u> items to Gundersen Harmony Care Center work.</p>
<p>2. We solicit vendors to support various fund raising events at Gundersen Harmony Care Center that are in line with our mission. Is that okay?</p>	<p>Yes. All donations from vendors for fund raising events that are in line with Gundersen Harmony Care Center's mission are furnished through the Harmony Community Healthcare Foundation. This ensures that the vendor is removed from the decision making as to whom items are furnished.</p>
<p>How can you help?</p>	<p>In order to be successful with vendor education about our policies, everyone must commit to a 'shared responsibility' of enforcement of them.</p>

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