



Policy Number GME-2220-010  
Date of Last Review Month Year: 6/2022  
Date of Last Revision Month Year:  
Policy Owner(s) Department GME

**Institutional Requirement** IV.L.  
2022 Accreditation Council for  
Graduate Medical Education  
(ACGME)

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## Graduate Medical Education: Vendor Policy

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**I. Purpose:**

Sponsoring Institutions (SI) must maintain a policy that addresses interactions between vendor representatives/corporations and resident/fellows and each of its ACGME-accredited programs.

**II. Scope**

This policy applies to all Ochsner ACGME-accredited training Residents and Fellows.

**III. Definitions**

- **Resident:** Any trainee in an OLGMC sponsored core or fellowship program
- **Fellow:** Any trainee in an OLGMC sponsored fellowship program
- **Department of Graduate Medical Education (GME):** Responsible for the administration of all OLGMC sponsored residency and fellowship training programs

**IV. Policy Statement:**

The Department of Graduate Medical Education is responsible for the administration of all OLGMC sponsored residency and fellowship training programs. GME has adopted the Ochsner Health Corporate Integrity policy and guidelines as presented in *Policy # OHS.COI.004 Solicitation or Receipt of Business Gifts*.



## Policy

**TITLE:** Solicitation or Receipt of Business Gifts

**APPROVAL DATE:** 02/22/2022

**APPROVER(S):** Warner Thomas (CEO-Ochsner Health System)

**NUMBER:** OHS.COI.004

**APPLICABLE TO:** Leonard J. Chabert Medical Center, Ochsner Baptist - A Campus of Ochsner Medical Center, Ochsner Health, Ochsner Medical Center, Ochsner Medical Center - Baton Rouge, Ochsner Medical Center - Hancock, Ochsner Medical Center - Kenner, Ochsner Medical Center - Northshore, Ochsner Medical Center - West Bank Campus, Ochsner St. Anne Hospital, Ochsner St. Mary, OLG - Abrom Kaplan Memorial Hospital, OLG - Acadia General Hospital, OLG - Ochsner La Fayette General, OLG - Ochsner La Fayette General Medical Center, OLG - St. Martin Hospital, OLG - University Hospital and Clinics, St. Bernard Parish Hospital, St. Charles Parish Hospital

### I. Purpose

This policy provides guidance on the solicitation or receipt of Gifts by Organization Workforce Members in accordance with applicable laws and regulations.

### II. Definitions

- A. Family Member – a Workforce Member’s husband or wife; domestic partner; birth or adoptive parent, child or sibling; stepparent, stepchild, stepbrother or stepsister; father-in-law, mother- in-law, son-in-law, daughter-in-law, brother-in-law or sister-in-law; grandparent or grandchild; and spouse of grandparent or grandchild.
- B. Gifts – any item, product, or service of value provided to a Workforce Member by an external vendor or representative.
- C. Organization – (i) Ochsner Clinic Foundation d/b/a Ochsner Health (“OCF”), (ii) all entities that are wholly-owned or controlled by, or under common control with Ochsner Clinic Foundation (“OCF Affiliates”); (iii) all facilities wholly-owned, leased, and/or managed by OCF or an OCF Affiliate; and (iv) all workforce members in an Ochsner facility.
- D. Workforce Member - Organization employees, employed physicians, providers, part-time and temporary workers, volunteers, students, agency personnel and other third-party personnel employed or engaged to perform work at or on behalf of Organization.

### III. Policy Statement

Organization Workforce Members must maintain the trust of their patients and communities by conducting business and making business decisions on behalf of the Organization in a manner free from bias, the perception of bias and any undue influence at all times.

### IV. Policy Implementation

- A. Workforce Members must not solicit Gifts from an external vendor or representative, regardless of intent and value.
- B. Workforce Members are prohibited from accepting Gifts, including but not limited to the following:
  - 1. Cash or cash equivalents including gift certificates and gift cards;
  - 2. Gifts of extravagant value;
  - 3. Meals provided in a clinical setting outside of an accredited continuing medical education activity by an external vendor or representative;
  - 4. Gifts to support employee/department social events;
  - 5. Gifts with the expectation of Organization's favorable treatment, selection, or use of a vendors' goods or services;
  - 6. Gifts that are intended to induce patient referrals or based on other considerations such as the value or volume of patient referrals, purchases or other business generated;
  - 7. Gifts that are conditioned upon recruitment of patients for research or certain research performance or results.
- C. Unsolicited Gifts of nominal value other than those described above may be permissible and can include:
  - 1. Gift baskets offered to a department;
  - 2. Floral arrangements; or
  - 3. Boxes of cookies, candies, or other similar consumable items.
- D. Sample medications or medication vouchers are generally not allowed and are governed by the Organization's policy on *Sample Medications* (OHS.PHARM.039) and hospital & clinic formularies.
- E. Charitable Gifts may only be accepted through the Philanthropy Department and must meet Philanthropy standards in order to ensure proper acknowledgement and reporting.
- F. Providers should note that acceptance of Gifts from pharmaceutical, device or biotechnology companies may trigger public transparency reporting to the Center for Medicare and Medicaid Services in accordance with the Physician Payments Sunshine Act.
- G. This policy does NOT apply to:
  - 1. Free or discounted items and services negotiated through Purchasing, Legal Affairs, or Organization's Group Purchasing Organizations;
  - 2. Nominal gifts from patients/patients' families;
  - 3. Funds raised or items gifted through the efforts of Organization's Philanthropy department (*Gift Acceptance* - OHS.PHIL.002);
  - 4. Professional continuing education events that are accredited through an oversight body and meet education standards;



5. Participation in employee discount programs offered through the Organization; or
6. Items required to fulfill clinical trial site and investigator duties.

H. Policy requirements must not be circumvented by:

1. Donating any Gift to the Philanthropy Department where the intent is to give specifically to a pre-identified Workforce Member and not a general-purpose fund, such as education or research; or
  2. Gifting to Family Members.
- I. Workforce Members that are unsure of whether this policy applies to a particular Gift should seek the guidance of their leader or the Conflict of Interest office.

**V. Enforcement**

Failure to comply with this policy may result in progressive discipline for employees or termination of contract or service for third-party personnel, students, or volunteers.

**VI. Attachments**

*This section intentionally left blank.*

**VII. References**

[Sample Medications](#)

[Gift Acceptance](#)

**VIII. Policy History**

8610g-14 Business Courtesies and Gifts

OHS.GOV.010 Policy on Receipt of Business Gifts



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**Approved**

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Chief Executive Officer, Ochsner Lafayette General Medical Center

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Ronald G. Amedee, MD  
Dean – Medical Education

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Ziad Ashkar, MD, ScD, MPH, MBA  
Designated Institutional Official

### Policy History

Date of Issue: 06/2022  
Revisions: