

WEBER HUMAN SERVICES

Solicitation and Acceptance of Gifts and Donations Policy (“Gifts” Policy)

PURPOSE:

Weber Human Services (WHS) as a licensed behavioral healthcare provider believes that it should avoid even the appearance of impropriety in all financial relationships with persons or entities that are in a position to sell or otherwise supply items or services to WHS. This policy therefore establishes procedures to ensure that all Donations from any source are accepted only if bona fide charitable donations.

SCOPE:

This policy applies to all WHS employees and agents, including Colleagues, and governs the solicitation and acceptance of all Donations (in cash or in-kind) from any source. Of particular concern are relationships with manufacturers, distributors, contractors and other persons or entities whose products or services are purchased or reimbursed under health care programs.

GENERAL PRINCIPLES:

WHS may solicit and accept Donations from vendors or potential vendors (“Vendors”) only if those Donations clearly represent bona fide charitable donations rather than implicit or explicit payments to obtain or maintain a Vendor relationship with WHS. All forms of quid pro quo arrangements are prohibited and Colleagues must never suggest or allow Vendors to think that Donations to WHS will affect their business relationship with WHS.

SOLICITATION OF DONATIONS:

Only the WHS Foundation (Foundation) or its designee(s) may solicit Donations from Vendors. Any other is prohibited. The Foundation shall comply with the following general principles in soliciting Donations from Vendors:

- Any solicitation on behalf of WHS, including any WHS department, shall occur only by the Foundation as part of fundraising activities in the normal course (e.g., general campaign, specific drive or charitable event).
- Foundation personnel shall not link conditions of existing or potential financial relationships with WHS when soliciting Donations. Foundation personnel shall avoid soliciting a Vendor during a period when there is a contract negotiation in progress, if feasible.
- Funds received from solicitation shall be used for a charitable purpose. Funds solicited for a particular charitable purpose shall only be used for that purpose. Donations in-kind shall not be used for the benefit of particular individuals, but only for the benefit of WHS. For example, sports tickets shall be used in raffles or silent auctions to raise funds for educational or other charitable activities.

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ACCEPTANCE OF DONATIONS:

Only Donations offered for use by WHS for charitable purposes without any expectation concerning future business are permissible. The Foundation must assess any unsolicited Donation from a Vendor, prior to acceptance, to ensure that the Donation has a bona fide charitable purpose.

- Is the Donation made to the general fund or for a specific fundraising drive?
- How does the Vendor characterize the Donation?
- Is the Vendor involved in negotiations with WHS for business?
- Was the Donation suggested by, or initially offered to, Colleagues?
- Are there any conditions on acceptance/use of the Donation?

If the Foundation determines that acceptance is appropriate, the status of the Donation as having a charitable purpose shall be documented in writing (through an acknowledgement by the Foundation to the Vendor). If the Foundation determines that the proposed Donation does not have a charitable purpose, it shall refer the proposal to Legal Counsel if such referral appears appropriate (e.g., because the proposed Donation appears to be a discount on a purchase or might raise other regulatory concerns).

Note: Special rules (set forth below) apply to gifts made to, or in the name of, Colleagues.

CONTACTS WITH VENDOR REPRESENTATIVES:

This policy does not prohibit Colleagues from having contact with representatives of Vendors. Various Colleagues may need to interact with representatives on a regular basis and other Colleagues may encounter representatives from time to time.

- As discussed above, however, Colleagues are prohibited from (1) soliciting, or appearing to solicit, Donations, or (2) accepting Donations for their own use or on behalf of WHS. If Vendor representatives raise the possibility of a Donation, those representatives should be directed to the Foundation.
- Colleagues are also prohibited from accepting “Personal Gifts” from Vendors.

Personal gifts include the following items provided to WHS Colleagues by Vendors or Vendor sales representatives:

1. Entertainment or recreational items of any value (e.g., golf balls, sports bags, artwork, CD’s, tickets to a sporting event, etc.);
2. Complimentary items (such as calendars, pens, coffee mugs, etc.) with more than a nominal value (more than \$50);
3. Meals, food, and beverages, including funds for meals, food, or beverages;

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4. Grants, scholarships, consulting contracts, or educational or practice items provided in exchange for prescribing or using drugs;
5. Travel expense reimbursement, except for legitimate reimbursement related to “Consulting Services” (as defined in the Consulting Policy) approved pursuant to the Consulting Policy and in compliance with the Travel Policy; and
6. Any other items or payments, including cash, cash equivalents (i.e., gift cards, and “in kind” payments).

The following items are not considered Personal Gifts:

- Meals, food, and beverages provided in connection with education programs for academic, scientific, or clinical information, not to exceed a per person value equivalent to an average meal value of the local area.
- Complimentary items (such as calendars, pens, coffee mugs, etc.) with less than a nominal value (less than \$50).
- Compensation for Consulting Services as permitted in the Consulting Policy.

GIFTS TO, OR IN THE NAME OF WHS EMPLOYEES:

Persons or organizations may occasionally wish to provide gifts to Colleagues individually or to make a donation to WHS in the name of Colleagues. Such gifts and donations are not to be solicited.

- Donations made to WHS in the name of Colleagues by Vendors are subject to the principles for soliciting or accepting Donations set forth in this policy. As discussed above, Colleagues may not accept Personal Gifts from Vendors.
- Colleagues may accept prizes and awards (“Prizes and Awards”) for achievements from company-supported foundations and organizations if the recipient is chosen through an established, independent process of scientific review.
- Gifts from patients or their friends or relatives to, or in the name of, Colleagues do not raise the same concerns as Personal Gifts from Vendors. Colleagues may accept personal gifts from patients or their friends or relatives so long as the gifts are of no more than nominal value (i.e., less than \$25 in value) and are not cash or cash equivalents. All gifts of cash or cash equivalents must be immediately forwarded to the Foundation for processing.