

1.03 GIFTS POLICY

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Chief Compliance Officer

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Approved By:

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Executive Compliance Committee

Date(s):

1.03 Gifts Policy

BACKGROUND

It is imperative that all allegations of wrongdoing in the work place received by anyone employed by New York Downtown Hospital be acted upon immediately. This includes all violations of the Code of Conduct, policies/procedures, rules, and regulations. This is particularly true of any allegations of criminal wrongdoing. New York Downtown Hospital recognizes that there are situations when employees will be offered gifts from patients, family or business associates. However, in healthcare, both providing and receiving gifts pose a risk for conflict of interest or fraud and/or abuse related to anti-kickback laws and regulations. In general, anti-kickback provisions prohibit the providing or accepting of anything of value in exchange for the referral of patients or services covered by a federal or state healthcare program. Furthermore, providing gifts can create real or perceived conflicts of interest. In recognition of these issues, this policy provides guidelines for accepting and providing gifts.

PURPOSE

This policy sets forth the guidelines that must be followed by all employees relating to the receipt or giving of gifts. These guidelines do not cover business courtesies, (see New York Downtown Hospital Policy on Business Courtesies).

POLICY

Accepting Gifts

1. New York Downtown Hospital employees are not permitted to accept gifts of more than nominal value from patients, vendors, or others doing business with us. For the purpose of this policy, nominal value of gifts and gratuities is \$50 from any one person or company in any 12-month period. Perishable or consumable gifts given to a department or group may exceed the limitation, but should not exceed a value of \$25.00 per person.

2. New York Downtown Hospital employees may never accept cash or cash equivalents, (such as gift certificates).
3. Any gifts, favors, services, or gratuities that might influence or appear to influence an employee in the conduct of their duties or responsibilities are prohibited, regardless of the value and must be declined.
4. All personnel having any influence in purchasing decisions are to refrain from accepting gifts, loans, credits, discounts, entertainment, favors or services from present or potential suppliers or individuals encountered in the conduct of company business.
5. Downtown Hospital employees are prohibited from soliciting (asking/requesting) gifts.

Providing Gifts

1. Downtown Hospital employees may not provide gifts that exceed \$25.00 in value per year, per recipient.
2. Gifts must never be provided, regardless of value, with the purpose of influencing relationships, business outcomes or referral of business.
3. Cash gifts or cash equivalents, such as gift certificates, are prohibited.

PROCEDURES

1. Any departures from the guidelines of this policy must be approved in advance, in writing, by a senior member of the management team. For the Chief Executive Officer, approval should come from the Chairman of the Board Audit and Compliance Committee.
2. Gifts offered exceeding nominal value should be politely refused. If concern exists that refusal would cause undue embarrassment or strain on good will, the gift should be reported to an appropriate member of the management staff who will make a decision regarding the appropriate disposition of the gift.
3. Violations of this policy should be reported to the Chief Compliance Officer.

RESPONSIBILITIES

1. Responsibility for enforcement of this policy is with the Chief Compliance Officer.
2. Responsibility for monitoring and updating this policy is the Chief Compliance Officer.