
Subject: Conflict of Interest Corporation

Index Number: HARCO-3017

Section: Compliance

Subsection: Corporate

Category: General

Contact: Compliance Officer

Last Revised: 9.10.18

References:

Compliance Plan and Standards of Conduct

Applicable To:

This policy applies to all employees of Gundersen Harmony Care Center.

Detail:

Gundersen Harmony Care Center and its staff, managers and employees, collectively referred to herein as “employees” are subject to an increasing number of restrictions on the solicitation and receipt of personal gifts, gratuities, entertainment and other things of monetary value. The purpose of this policy is to clarify the rules and guidelines concerning the solicitation and receipt of personal gifts and other items of monetary value. The policy will help employees make good personal judgments when dealing with issues and circumstances that present a potential or actual conflict of interest, even when those issues and circumstances are not specifically referenced within this policy.

Definitions:

Conflict of Interest: A conflict of interest occurs when an individual’s private interest interferes, or even appears to interfere, with the interests of Gundersen Harmony Care Center as a whole.

Gift: A gift is considered anything of monetary value such as a gratuity, favor, entertainment, loan, rewards, pens, notepads, meals, or 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 as acceptable items for employees to receive:

1. Genuine educational materials such as textbooks, pamphlets, medical journals or models, if the materials benefit the organization or residents. (These items may have a vendor 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 less than \$50 per meal and \$338 in the aggregate per year for each vendor. There must be an education meeting in conjunction with such

meals. Note: Meals, food and drink provided by vendors at the Gundersen Harmony Care Center facility are not allowed.

4. Samples requested or used for resident care activities or legitimate business purposes.
5. Items provided at a discount as part of a purchasing contract and/or as local business supporting Gundersen Harmony Care Center and discounts equally provided to the public.
6. 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 continuing education guidelines. Such items may not be brought onto Gundersen Harmony Care Center premises.
7. Vendor or resident donations (product or monetary) to the Harmony Community Healthcare Foundation.
8. Non-monetary industry or professional awards.

Immediate Family Member: An immediate family member means the employee's spouse, natural or adoptive parent, child sibling, stepchild, stepparent, stepbrother, stepsister, father-, mother-, daughter-, son-, brother-, or sister-in-law, grandchild or grandparent, spouse of grandparent or grandchild.

Vendor: 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.

Implementation:

Employees are expected to conduct themselves in a manner consistent with this Conflict of Interest Corporate policy. Toward that end:

1. They should take appropriate steps to avoid actual and perceived conflicts of interest.
2. They should not solicit or accept any gifts unless otherwise specified herein.
3. They should not solicit or accept any gifts that might influence their judgment concerning the provision of patient care or the performance of duties at Gundersen Harmony Care Center.
4. They should not use their position or status at Gundersen Harmony Care Center, or information acquired by them as a result of their position or status, for personal gain or that of their immediate family members. See the "Use of Position For Personal Gain" section below for further detail.

This section sets forth the application of this policy to different conflict of interest situations:

Gifts from Residents/Resident Families: Refer to policy HR814 "Public Gifts/Resident Gifts". The general policy of Gundersen Harmony Care Center is to respect the rights of residents to make decisions concerning their property and assets without undue influence from Gundersen Harmony Care Center employees. No employee shall intentionally influence the resident for the employee's personal gain. Employees receiving a gift or money from a resident or a resident's family member must report the gift to the Social Services Director, who will keep a written

record/log of the transaction. Employees who are relatives of the resident shall be exempt to the extent that they receive money and/or property under a Will or Trust or by operation of law. Family and Residents wishing to give a gift are encouraged to make a gift to the Harmony Community Healthcare Foundation and designate the gift for your purpose.

Gifts from Vendors: Unless otherwise specified in this policy, no gifts may be accepted by any Gundersen Harmony Care Center employee. Items excluded from the definition of “gift” may be accepted if the following requirements are met:

1. Such items are not linked to the referral of patients or business; and acceptance and receipt of the item will not influence or appear to influence the recipient’s judgment or conduct at Gundersen Harmony Care Center.
2. All staff and practitioners involved with prescribing, administering and managing pharmaceutical should consider the legal prohibition against accepting anything of value from a pharmacy or pharmaceutical manufacturer to influence the choice of drug or to switch a resident from one drug to another.
3. Acceptance of such items will not influence or appear to influence the recipient’s judgment about resident quality of care or resident safety.

Professional meetings and Continuing Education Conferences:

1. Payments of reasonable honoraria and reimbursement for travel, registration fee, lodging and meal expenses may be accepted by employees who are actively presenting in professional meetings and continuing education conferences.
2. Donations from vendors to underwrite the costs of professional meetings and continuing education conferences sponsored by Gundersen Harmony Care Center and/or Harmony Community Healthcare Foundation are permissible only if the following requirements are met:
 - a. Gundersen Harmony Care Center retains responsibility for control and selection of the presenter, educational content, methods and materials.
 - b. Donations are received only by Gundersen Harmony Care Center or Harmony Community Healthcare Foundation, not by the individuals in attendance.
 - c. Donations are not used to pay registration fees, wages, travel, lodging or other personal expenses (other than meals valued at \$50 or less) for attendees.
 - d. The value of meals and entertainment provided at each professional meeting or continuing education conference is limited to \$50 in the aggregate for each employee and member of his or her immediate family attending who are not actively presenting at the conference. Additionally, the aggregate value of meals and entertainment for each employee and member of his or her immediate family attending who are not actively presenting at the conference does not exceed \$338 throughout the calendar year.
 - e.

Disclosure of Conflict of Interest:

In addition to policy HARCO- 3050 “Conflict of Interest” for Board of Directors, all Department Managers and other employees who have authority to make, recommend or influence decisions have a duty to disclose to their supervisors, governing boards or others as may be

appropriate any actual or potential conflict of interest which may influence their ability to impartially make or recommend a decision.

Disclosed conflicts of interest will be reviewed by the Gundersen Conflict of Interest Review Panel and other resources as may be necessary, in order to provide a response to the employee with instructions on how to manage the conflict of interest in order to mitigate risks to Gundersen Harmony Care Center. For instance, employees who have a conflict of interest with respect to a particular decision should not exercise decision making authority over that matter and may be asked not to participate in related discussions. Failure to disclose conflicts or interest or disclosing inaccurate or false information may result in disciplinary action up to and including termination of employment.

The following relationships of interests should be considered by individual employees when making such disclosures:

1. Income, gifts, entertainment, food or other remuneration, equal to or exceeding \$10 in a single instance or \$100 cumulatively in a single calendar year from a single external source, received directly by the individual or an immediate family member.;
2. Offices, board memberships and other positions of authority held by the individual or an immediate family member.
3. Ownership interest of 5% or more in a company that provides goods and services to Gundersen Harmony Care Center.

Use of Position for Personal Gain:

No employee shall use his or her position or status for personal gain. This prohibition takes priority over activities such as the following:

1. Soliciting, accepting or receiving compensation for acting as a consultant for any business or organization that seeks or has a business or financial relationship with Gundersen Harmony Care Center;
2. Soliciting, accepting or receiving discounts on goods or services in the name of Gundersen Harmony Care Center when, in fact, such goods or services are intended for the individual's personal use or that of an immediate family member.
3. Using Gundersen Harmony Care Center's tax exempt status to purchase goods or services for an individual's personal use or that of an immediate family member.
4. Using data, ideas, processes, devices, methods, equipment and information developed from or in connection with the individual's position, status of employment at Gundersen Harmony Care Center for personal gain, except as otherwise allowed by the Gundersen Harmony Care Center's Board of Directors.
5. Using the individual's position or influence within Gundersen Harmony Care Center to direct, coerce or ask another employee to make decisions that benefit the individual, an immediate family member or others outside the organization.

Misuse of Organizational Information:

No employee shall use any non-public information obtained as a result of his or her position, status or employment at Gundersen Harmony Care Center for personal gain or the gain of others.

Reporting Suspected Violations:

Employees may communicate actual or alleged violations of this policy to their supervisor or, if that would be problematic, to the Compliance Officer.

Actual or alleged violations of this policy may also be reported anonymously to the Compliance Hotline:

Toll Free Number (877)532-8879

Additional information for reporting may be found on the “Compliance” poster located in the hallway by the staff break room.

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