

1.0 Purpose

- 1.1 This policy provides guidelines for offering gifts or benefits to patients. The restrictions herein are intended to ensure that patients select Enhabit Home Health & Hospice based on quality, convenience, and other factors of importance to the patient, not based on financial inducements.
- 1.2 Federal and some state laws prohibit the offer of remuneration for the purpose of influencing a patient to “order or receive from a particular provider, practitioner, or supplier any item or service” that is payable by Medicare or Medicaid.

2.0 Scope

- 2.1 This policy applies to all patients. Branches should consult with the Ethics & Compliance department to determine whether state laws impose any similar restrictions on furnishing gifts or benefits to commercial or self-pay patients.

3.0 Definitions

- 3.1 Nominal value - in accordance with the interpretation adopted by the Department of Health and Human Services Office of Inspector General (“OIG”), nominal value means ‘having a retail value of no more than \$15 per item or \$75 in the aggregate per patient on an annual basis.’ The interpretation of nominal value will be reviewed periodically by the OIG and adjusted for inflation as appropriate.”
- 3.2 Remuneration – in accordance with the interpretation adopted by the Department of Health and Human Services Office of Inspector General (“OIG”), remuneration means anything of value and includes the transfer of any items or services for free or less than fair market value.
- 3.3 Volunteers –individuals that offer a variety of unpaid services to Hospice patients, including providing companionship, respite for caregivers, helping with transportation, or other practical needs.

4.0 Policy

- 4.1 Employees and/or volunteers will not offer gifts or benefits to patients unless the gift is of nominal value, as defined by the OIG at the time in question or is a donation to a patient that is consistent with this policy.
 - 4.1.1 Gifts and incentives of “nominal value” may be provided as part of an incentive program to encourage patient compliance with treatment plans.
 - 4.1.1.1 Incentive programs must be approved by the Ethics & Compliance department prior to implementation.
 - 4.1.1.2 Any gifts or items provided as part of an incentive plan may not be provided in cash, cash equivalents, checks, gift cards, gift certificates, debit or credit cards, or any store gift card that can be exchanged for cash.
- 4.2 Employees and volunteers will not offer, provide, or deliver (from a third party) any *homemade* food items to patients.
 - 4.2.1 Employees are permitted to offer or provide store bought food items or baked goods to patients to celebrate special events.
- 4.3 Donated Items for Patients
 - 4.3.1 Employees and volunteers shall not solicit donated items for patients.

- 4.3.2 Donations of cash, gift cards, cash equivalents, checks, gift certificates, debit or credit cards, or any store gift cards are never permitted.
- 4.3.3 Employees and volunteers may accept nominal gifts, such as blankets, bibs, or flowers from independent community members or charitable organizations for delivery to patients, provided:
 - 4.3.3.1 The item is provided during the patient's stay, never before the patient is admitted.
 - 4.3.3.2 The item is not purchased by the Company.
 - 4.3.3.3 The item is not given as a reward for admission.
- 4.3.4 Volunteers may craft modest gifts for patients, provided:
 - 4.3.4.1 The volunteer provides his/her own supplies; and
 - 4.3.4.2 The volunteer crafts on his/her own time; and
 - 4.3.4.3 The volunteer's time spent on the craft is not calculated into the Company's volunteer billing hours.
- 4.3.5 Employees and volunteers should document all donations in the patient's progress note. Please include:
 - 4.3.5.1 Name of the party offering the donation
 - 4.3.5.2 Item(s) donated
 - 4.3.5.3 Date of donation

4.4 Free Programs or Discounted Services

- 4.4.1 Medical items or services should generally not be furnished to non-indigent patients at no cost or at a discount below the Company's cost. Exceptions are permitted in the following instances:
 - 4.4.1.1 Items or services furnished to members of the public through health fairs where the event is open to the public; items and services are made available to all members of the public on the same basis; no patients or third-party payors are billed for any items or services furnished at the health fair; and the duration of the event is reasonably limited in scope.
- 4.4.2 No programs involving free or discounted services may be used by a branch to refer patients to a particular physician or group of physicians in exchange for any direct or indirect agreement to make cross-referrals back to the branch and are not intended to induce referrals.
- 4.4.3 Free programs or discounted services may be advertised if they are of nominal value, as defined by the OIG.

5.0 Procedure

5.1 Delivery of Donated Items to Patients

- 5.1.1 Employees and volunteers are permitted to deliver donated items as outlined in 4.3 to patients.
- 5.1.2 Hospice volunteer travel time may be calculated for the delivery.

5.2 Free or Discounted Medical Items or Services

- 5.2.1 Medical items or services should generally not be furnished to non-indigent patients at no cost or at a discount below the Company's cost.

5.3 Sources of Funding for Patient Gifts and Benefits.

- 5.3.1 Funds derived from sources other than Company budgeted accounts, such as vending machine profits, fund-raisers, community donations, supplier donations, and contributions from third parties are subject to the limits and restrictions of this policy when controlled or managed by Company personnel, or volunteers.
- 5.3.2 Patient funds established by third parties should not be administered by, or involve, Company personnel or volunteers, other than in communicating a patient's need for benefits to the fund administrator.
- 5.3.3 The Company may not permit vendor or supplier donations to circumvent the intent of this policy. Any vendor or supplier benefits furnished to patients in connection with services received from the Company are subject to the standards set forth in this policy.

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