

HEALTHPARTNERS' GUIDE TO APPROPRIATE RELATIONSHIPS WITH VENDORS

HealthPartners works with a wide variety of vendors and potential vendors – such as suppliers, drug companies, staffing agencies, consultants, law firms and many more. These relationships are necessary and important to the work we do. However, sometimes these relationships also bring with them a personal or informal component. For example, have you ever eaten some pizza brought in by a sales rep? Have you gone to a sporting or entertainment event courtesy of someone you do business with? Received a holiday gift basket from a consultant? Won a raffle for a mountain bike at a conference?

Although they may seem innocuous, these types of arrangements have the potential to create conflicts of interest, or the appearance that individuals in our organization may have a personal stake in their relationships with our vendors. Studies have shown that inappropriate relationships between the staff of health care organizations and their vendors can undermine patient and member trust, interfere with professional decision-making and result in the waste of health care resources.

While HealthPartners' Code of Conduct addresses conflicts of interest, entertainment, gifts and favors in general, it is not intended to resolve all possible vendor arrangements and interactions. For that reason, we have created this guide to supplement our Code of Conduct, and to help all staff¹ make sound decisions when working with vendors².

This guide has three components that together describe the process you must follow whenever you are thinking about entering into (or renewing) a relationship with a vendor – whether that relationship is formal or informal.

1. Ethical Considerations. These are fundamental questions to ask yourself each time you are considering a vendor arrangement. Your answers to these questions will help you decide whether an arrangement passes your personal standards of integrity.
2. Basic Rules and Examples. These are basic, practical rules that you must follow in every vendor relationship. The examples given describe some common types of arrangements in health care, and identify which ones are considered acceptable and which are not.

¹ “Staff” includes employees, employed providers, privileged providers, residents, interns, students, volunteers and Board members.

² “Vendors” include current and prospective suppliers and their representatives, including staffing services, consultants, pharmaceutical and medical device companies, and service providers such as law firms and auditors.

3. Beyond the Basics – Getting Help. If the arrangement you are considering appears to meet the Ethical Considerations but is not addressed in the Basic Rules, then you are asked to consult with the Office of Integrity and Compliance. They will help you make a decision that reflects not only the organization’s values and responsibilities, but also your own.

1. **Ethical Considerations**

The following questions were designed to help you conduct your own “gut check” when considering any interaction with a vendor. If the interaction does not pass your own “gut check,” then you should not agree to it. (You may notice that most of these questions reflect the organization’s Values of Excellence, Compassion, Partnership and Integrity.)

- Will the interaction enhance (as opposed to erode) the *trust* of others?** Consider the trust of patients, members, coworkers and others.
- Does the interaction *respect* the interests of those affected by it?** Some of the people who may be directly or indirectly affected by our relationships with vendors are patients, members, research participants, customers, regulators and the community as a whole.
- Would I be able to *face my colleagues and myself* if this interaction were to come to light?**
- Would I be *proud* of this interaction if it were disclosed to those affected by it** (for example, my patients and colleagues) **or to the larger community** (for example, in the media)?
- Is this interaction consistent with the *values of the organization*?**

If you did not answer “yes” to all of these questions, then you should not proceed with the interaction.

2. **Basic Rules and Examples**

These are basic, practical rules that you must follow in every vendor relationship. Gifts, donations, grants, sponsorships, entertainment activities, promotional items, consulting fees and honoraria may only be accepted or solicited from vendors if the interaction meets *all* of the following Basic Rules.

HealthPartners encourages appropriate interactions between staff and vendors as long as those interactions

- Are designed to benefit patients or members, or to educate HealthPartners staff
- Will not lead to overutilization, underutilization or inappropriate utilization of health care services
- Will not raise patient safety or quality of care concerns
- Would comply with federal and state laws regarding referrals (Anti-Kickback and Stark), tax-exemption and public programs
- Do not present a conflict of interest
- Will not compromise staff's independent judgment or interfere with professional duties
- Will not embarrass or damage the reputation of the organization
- Comply in all other ways with the organization's Code of Conduct

Below are examples of interactions that you may face when working with vendors. HealthPartners has identified which ones staff may engage in, and which ones they may not.

Examples. This list is not exhaustive, but it does identify several of the more common types of arrangements and interactions with vendors.

Permitted Interactions

HealthPartners staff is permitted to interact with vendors in the following situations, so long as the Basic Rules on the previous page are also followed:

- Clinical and non-clinical department heads/chiefs may invite vendor representatives to present product information to staff for the purpose of staff education and product assessment; in such cases, vendors will not be permitted to provide meals, snacks, trinkets or other non-educational items. Sales representatives of vendors will not be permitted to canvas or “drop in” at clinical or administrative sites without such an invitation, although they may mail product literature to staff.
- Staff may attend modest meals and receptions sponsored by vendors at conferences if such events are incidental to an educational program that has been approved for continuing education credit.
- Staff may attend modest and occasional business courtesy meals or bona fide charitable events at the invitation of a vendor.

- Staff may solicit vendor support for patient care, research, education or fundraising purposes in accordance with organizational standards for those activities.

Non-Permitted Interactions

The following vendor interactions are not permitted:

- Staff may not accept cash or cash-equivalents (such as gift certificates) from vendors.
- Staff may not accept any item or service that is primarily intended for personal use.
- Staff may not participate in leisure activities sponsored by a vendor, such as golf, sporting events, theater, “spa days”, etc., unless it is a bona fide charitable event, or unless staff pay their own way and participation would not compromise independent judgment, interfere with professional duties, or embarrass or damage the organization’s reputation.
- Staff may not provide consulting or other services for which they are compensated by a vendor without full and continuing disclosure to the organization and prior written approval of the Vice President or Associate Medical Director to whom his or her department or division reports.
- Anything that is not permissible for an employee to accept is also not permissible for the employee’s immediate family (spouse, partner, parent, and child) to accept from a vendor.

3. Beyond the Basics – Getting Help

Most of the arrangements and interactions with vendors that HealthPartners staff will face are covered by the Ethical Considerations, Basic Rules and Examples. This guide was designed to help you work through those common situations. However, we know it is not possible to construct a set of rules – or even to anticipate – all possible scenarios.

If the interaction you are considering appears to meet the Ethical Considerations but is not covered by the Basic Rules, then you should consult with the Office of Integrity and Compliance. When you contact the Office of Integrity and Compliance, they will work through the Vendor Relations Standards to help you make a decision that reflects not only the organization’s values and responsibilities, but also your own. The Office of Integrity and Compliance may also consult with leadership to provide guidance on particular issues or types of issues.

Office of Integrity and Compliance Contact Information

Email: complianceandintegrity@healthpartners.com

Web: <http://intranet.healthpartners.com/Intranet/Menu/0,1646,7643,00.html>

General Number – 952-883-5124

Integrity and Compliance Hotline 1-866-444-3493

Tobi Tanzer, Chief Compliance Officer and Privacy Officer –
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