



10.1.4 Giving and Receiving Benefits

Chapter 10 - Ethics, Standards of Conduct, and Relationships with External Entities	Original Effective Date: April 2000
Section: 10.1 Ethics, Standards of Conduct and Relationships with External Entities	Date Last Reviewed: December 2008
Responsible Entity: Chief Legal Officer	Date Last Revised: December 2008

I. Purpose

UT Health San Antonio is committed to conducting business with outside entities in a manner that promotes the best interest of the institution. The purpose of this policy is to ensure an unbiased position for transacting business on behalf of the institution.

II. Scope

This policy applies to all UT Health San Antonio faculty, staff, students, residents, health care providers, researchers, contractors, or any other individual providing services on behalf of UTHSA (collectively, Workforce Member, including employees and non-employees).

III. Policy

Faculty and staff of the UT Health San Antonio (UTHSA) shall not intentionally or knowingly solicit, accept, or agree to accept any benefit (a gift is one form of a benefit) for having exercised his or her official powers or performed his or her official duties in favor of another.

A. Guidelines for Giving and Receiving Benefits

1. Gifts

Gifts may be prohibited in certain circumstances unless exempted. For example, gifts valued less than \$50 (not cash nor negotiable instrument), a governmental item or reported under the lobby law are exempt. Gifts include but are not limited to:

- a. cash;
- b. athletic/special event tickets not given with expectation the member will attend the event;

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- c. tangible property such as silver spurs;
- d. shotguns;
- e. wine; and,
- f. services, such as, medical treatment or physical exams.

Gifts are prohibited if given or received as consideration for official action. Gifts based on kinship, friendship, non-UTHSA business relationships or internal holiday gifts are not prohibited if made outside of UTHSA business.

2. Awards and Mementos

Awards and mementos may be prohibited in certain circumstances unless exempted, unsolicited and of minimal value. For example, awards and mementos valued less than \$50 (not cash nor negotiable instrument), a governmental item or reported under the lobby law are exempt. Awards and mementos can include but are not limited to:

- a. plaques;
- b. tee shirts;
- c. caps;
- d. souvenirs; and,
- e. other gifts of minor value.

Awards and mementos are prohibited (even of minimal value) if given for thanks and appreciation of official action, a vote or specific action.

3. Transportation and Lodging

Transportation and lodging are prohibited, unless valued less than \$50, a governmental item, accepted as a guest or accepted by state employee at the direction of and for benefit of UTHSA or technical training seminar.

Transportation and lodging are prohibited if given or received as consideration for official action.

Unless valued less than \$50 or governmental item, a UTHSA representative must be present to comply with guest exception.

UTHSA faculty and staff may have their transportation, lodging, and meal expenses paid as a result of their active participation in a conference or seminar.

4. Food and Beverages

Food and beverages are appropriate, if it is unsolicited, valued at less than \$50 and is accepted as a guest or at the direction of UTHSA for the benefit of UTHSA.

Food and beverages are prohibited if given or received as consideration for official action.

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A person or representative of the entity providing food and beverages must be present. There are no annual or daily caps, however, the rule-of-thumb is to limit to \$50 per person per day.

5. Entertainment

Entertainment is appropriate if accepted as a guest,

- a. valued less than \$50 or a government item. Entertainment includes but is not limited to:
- b. athletic/special events tickets given with expectation that member will attend;
- c. concerts;
- d. recreational sports passes; and,
- e. swim center passes.

Entertainment is prohibited if given or received as consideration for official action.

Unless valued less than \$50 or governmental item, a UTHSA representative must be present to comply with guest exception.

6. Honoraria

Honorariums are not prohibited if received as a result of faculty and staff's expertise in an academic discipline.

Honorariums are prohibited if given or received as consideration for official action or if for services that would not have been requested but for an official position or duties.

IV. Definitions

There are no defined terms used in this Policy.

V. Related References

There are no related documents associated with this Policy.

VI. Review and Approval History

- A. The approving authority of this policy is the University Executive Committee.
- B. The review frequency cycle is set for three years following the last review date, a time period that is not mandated by regulatory, accreditation, or other authority.

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Effective Date	Action Taken	Approved By	Date Approved
04/2000	Policy Origination		
12/2008	Policy Revision		