



## MEMORANDUM

DATE: 11/16/18

TO: External notification (posted on NLACRC's website)

FROM: NLACRC

RE: Updated NLACRC Policy and Procedure – **Gifts to and from consumers and POS vendors**

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Please be aware that the North Los Angeles County Regional Center ("NLACRC") has updated its policy regarding gifts to and from NLACRC's consumers and their family members and representatives, as well as NLACRC's Purchase of Service ("POS") vendors. This update became effective November 8, 2018 and replaced NLACRC's prior gift policy. The following are relevant sections of the policy:

### **PURPOSE:**

NLACRC is committed to upholding the values of fairness and integrity in its dealings with consumers, consumers' family members and representatives, and POS vendors. Under the Lanterman Developmental Disabilities Services Act (the "Lanterman Act"), NLACRC employees must be free from conflicts of interest that could adversely affect their judgment, objectivity, or loyalty to the regional center, its consumers, or the regional center's mission. Further under the Lanterman Act, POS services for consumers and the POS vendors chosen to provide such services must be based on the individualized needs of each consumer. NLACRC and its employees must avoid perceived or actual conflicts of interests with these individuals and agencies.

### **DEFINITIONS:**

GIFT - Any payment, favor, gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value for which the recipient does not provide equal or greater consideration in return. ***Gifts from an employee's family, friends, other NLACRC employees, and other personal relationships are excluded from this definition so long as the gifts are not given to influence the employee's job performance or a business decision.***

## **POLICY:**

**Gifts from Consumers/Consumers' Family Members/Consumers' Representatives and POS Vendors to Employees:** Employees may accept gifts not exceeding \$25 from consumers, consumers' family members and/or representatives, and POS vendors, unless otherwise prohibited under this policy.

1. The following are examples of **acceptable** gifts. This list is not all-inclusive:
  - a. Modest items of food and non-alcoholic beverages, such as baskets, boxes, or arrangements of fruit, muffins, or other snacks;
  - b. Modest refreshments such as coffee, water, fruit, trail mix, or cookies, offered at a meeting (such as a vendor meeting or IPP meeting), and not as part of a meal or large spread of food;
  - c. Pre-approved catered or other pre-arranged events; and
    - i. *NLACRC must consider whether the purpose of the event aligns with NLACRC's obligation to maintain objectivity, and an NLACRC director must therefore pre-approve NLACRC's participation in such events. **Please make sure to notify NLACRC as early as possible of such invitations to allow NLACRC sufficient time for consideration.***
  - d. Small items distributed in the ordinary course of business, such as pens, pencils, paper weights, mugs, calendars, notebooks, etc., bearing the name of an organization.
    - i. Larger marketing items such as backpacks, tote bags, water bottles, and t-shirts bearing the name of the organization are prohibited.
2. The following gifts are **prohibited** and shall not be accepted by NLACRC employees:
  - a. Cash or cash equivalent (such as gift cards, gift certificates, and discounts on items) of any value;
  - b. Gifts that exceed \$25;
  - c. Items prohibited by law;
  - d. Alcohol;
  - e. Tobacco;
  - f. Drugs, whether legal or illegal;
  - g. Items containing or involving nudity or lewd behavior;
  - h. Large marketing items distributed by an organization bearing the name of that organization, such as backpacks, tote bags, water bottles, and t-shirts;
  - i. Catered or other pre-arranged events without prior appropriate approval;
  - j. A gift given with an understanding that it is used to influence a decision related to the employee's job performance or an NLACRC business decision; and
  - k. Frequent gifts over a short period of time.
3. In the event that a consumer/consumer's family member/consumer's representative or POS vendor wants to express thanks or acknowledge an NLACRC employee or employees with a gift that violates this policy, they are encouraged to instead make a donation to NLACRC's Help Fund, and/or NLACRC's consumer holiday gift drive that includes the "Adopt-A-Family" program.

**Gifts from Employees to Consumers and POS Vendors:** Employees shall not provide gifts of any value, including money of any amount, to consumers, consumers' family members and/or representatives, or POS vendors, without prior written authorization from the employee's supervisor.

**Any questions regarding this policy should be directed to an NLACRC director.**