

 THE NEBRASKA MEDICAL CENTER POLICIES AND PROCEDURES MANUAL <input checked="" type="checkbox"/> System <input type="checkbox"/> Department Supersedes:	Section: MISCELLANEOUS ORGANIZATIONAL FUNCTIONS (MI)
	Subject: Vendor Policy Number: MI06 Attachments: Date Effective: 08/01/99 10/25/05, 10/18/06, 2/20/09, 5/19/09, 1/25/11, Date Reviewed: 7/20/11, 8/7/13, 6/16/14, 12/1/14

VENDOR POLICY

POLICY:

Vendors and their representatives play an important role as providers of information, products, and services to The Nebraska Medical Center. The following guidelines have been developed to facilitate a good working relationship between The Nebraska Medical Center staff and the vendors. Vendors are guests at The Nebraska Medical Center and shall provide their services in accordance with the guidelines outlined in this policy. Failure of vendors to adhere to these guidelines may result in termination of privileges of the company or companies involved.

DEFINITIONS:

Vendor - Any representative of a manufacturer or company who visits the Nebraska Medical Center for the purpose of soliciting, marketing, maintaining, or distributing product or information regarding the use of products, equipment, services, and supplies to The Nebraska Medical Center, its patients and physicians practicing at The Nebraska Medical Center.

Protected Health Information (PHI) - individually identifiable health information relating to the past, present, or future physical or mental condition of an individual; or payment for the provision of health care whether oral or recorded in any form or medium, created or received by The Nebraska Medical Center.

Business Associate – When a person or entity outside of The Nebraska Medical Center performs a function or activity on the behalf of The Nebraska Medical Center that requires them to use or disclose protected health information (PHI) in order to perform the function, the person or entity is a Business Associate. Health care providers providing treatment are an exception to the business associate definition.

Business Associate Agreement / Addendum – Under HIPAA Business Associates must provide satisfactory written assurances that they will safeguard protected health information (PHI). The Nebraska Medical Center Business Associates Agreement and Addendum contain all language required by HIPAA.

Health Care Provider – When a device company needs protected health information (PHI) to provide support and guidance to a patient, or to a doctor with respect to a particular patient, regarding the proper use or insertion of a device, it is providing “health care”, and therefore, is a health care provider when engaged in these services (65FR 82569). By contrast, a medical device company is not providing “health care” if it simply sells its appropriately labeled products to another entity for that entity to use or dispense to individuals.

PURPOSE:

1. Identify vendors as visitors who are present in The Nebraska Medical Center facilities for a legitimate business purpose.
2. Prohibit or restrict disclosure of confidential patient and proprietary information to vendors.
3. Assure that the presence of vendor representatives does not interfere with the delivery of patient care.

PROCEDURE:

1. Required Authorization

- A. Vendors/sales and service representatives may visit The Nebraska Medical Center staff members (medical, nursing, pharmacy, purchasing, clinical laboratory, surgery and other staff) only as follows:

- 1) At the request of the staff member;
 - 2) By appointment;
 - 3) During an authorized exhibit
- B. While visiting The Nebraska Medical Center Vendors/sales representatives shall not initiate unsolicited contact with The Nebraska Medical Center staff by telephone or pagers. Vendors shall schedule all appointments ahead of time. Drop in visits are not permitted.
- C. Visits to clinical departments requested by physicians shall be approved by the clinical department manager/director. Pharmaceutical Vendor sponsored educational programs shall be scheduled in accordance with Pharmacy and Therapeutics committee policy (MS40).
- D. Only purchases by personnel authorized by The Nebraska Medical Center to issue and or approve purchase requisitions will be paid. Authorized personnel include designated purchasing staff and managers or above of their respective service lines. Physicians are not authorized to approve purchases or payment. The Nebraska Medical Center will not assume responsibility for any loss or payment for products and services that were provided without adherence to the above requirements. Product that is provided with out prior approval will be considered as a free sample.
- E. The Nebraska Medical Center has centralized the oversight and execution for all original equipment manufacturer (OEM) contracts/ service contracts for medical equipment. Centralization will provide the opportunity for effective analysis and cost management for medical equipment within our organization. To achieve this, all original equipment manufacturer (OEM) contracts or medical equipment service contracts from any other source will be:
- 1) Managed by the asset management department
 - 2) Analyzed and reviewed by the asset management department prior to execution of the contract
 - 3) Executed by the asset management department on behalf of the requesting department
 - 4) Signed and requisitions placed by the asset management department on behalf of the requesting department.

This change means that all vendors will need to follow the excerpt above which was taken from The Nebraska Medical Center organizational policy EC66 that was rolled out effective April 15, 2012 and obtain the proper signature for the execution of contracts. . The asset management department is the only approved signature moving forward for this type of agreement.

2. Registration

All vendors sales representatives, technicians, etc must register in one of the following designated locations each time they visit on company-related business:

- A. Information/Access Services Clarkson Tower REPtrax kiosk. 24/7
- B. Information/Access Services Durham Outpatient Center (DOC) REPtrax kiosk. 24/7
- C. Facilities Management and Planning (Clarkson Tower Basement, Room B8111) REPtrax Kiosk 7am – 4:00pm Monday – Friday.
- D. OR Front Desk University Tower REPtrax kiosk "surgery representatives ONLY" during normal hours of operation.
- E. OR Front Desk Hixson-Lied REPtrax kiosk "surgery representatives ONLY" during normal hours of operation.
- F. Computing Center or Workstation Support Department (The Nebraska Medical Center 4230 Building - Leavenworth St) for Information Technology-related business. 402-552-3294
- G. Biologics Production Facility (Smart Phone App) present badge on phone when entering building 8am – 5:00pm Monday – Friday
- H. Village Point Cancer Center (Smart Phone App) present badge on phone at Radialtion Oncology front desk 8am – 4:30pm Monday – Friday.
- I. Off-site clinics: (Smart Phone App) present badge on phone when entering building.
- J. East Campus Corporate Pavilion (ECCP) or (Mutual of Omaha Building 3rd, 4th, & 5th floors) (Smart Phone App) present badge on phone when accessing the floor.

The conduct of Pharmaceutical and Nutrition company representatives is governed by policy number MS40. In accordance with the policy, Pharmaceutical representatives providing service, sales, and delivery of

pharmaceuticals, pharmaceutical supplies, nutritional supplies and home care supplies through a relationship with the Department of Pharmaceutical and Nutritional Care (UH2230) will also register through REPtrax at the locations designated in this policy. Registration through the REPtrax system is in accordance with the Department of Pharmaceutical and Nutrition Care policy addressing appropriate behavior of pharmaceutical and Nutrition company representatives.

During each visit, the vendor will sign-in at the registration area and be issued a badge. The badge must be displayed at all times during the visit. In addition, the vendor/sales representative must wear a name badge bearing his/her name and the name of the company he/she represents.

3. Vendor/Sales Representative Authorized Activities

- A. Meetings between vendor/sales representatives and The Nebraska Medical Center staff shall not take place in patient care areas. Vendors are not permitted in the following areas: inpatient nursing units; clinics and other outpatient care areas; Emergency Department; procedure and/or operating rooms; Pharmacy inpatient and outpatient waiting areas and dispensing and storage areas unless authorized and escorted by The Nebraska Medical Center staff member.
- B. Food Services. Food and drinks are restricted to non-patient care areas and must be approved by the department manager, medical section chief, or their designee.
 - 1) If internal catering is needed, contact the Food and Nutrition Department at (402) 559-4029.
 - 2) If the vendor provides food and drinks, departments are responsible for cleaning up the area afterwards.

4. Samples

- A. Samples of medical surgical supplies and equipment may be used only in accordance with Product Evaluation and Standardization Committee Guidance.
- B. Pharmaceutical Product/Drug Samples shall be governed by The Nebraska Medical Center Medical Staff policy on Drug and Nutritional Samples (MS2). Drug and Nutritional Product samples are prohibited from inpatient and procedural areas of the Medical Center.

5. Vendors and representatives

- A. The Nebraska Medical Center has integrated new software called **MedApproved** that will assist us and you (the vendor community) to more efficiently review products/services that enter our hospital(s). **This is a new policy and will be the method of approving products at our facilities. If your product is not approved in this system, then no PO will be issued. The only exception to this process will be Pharmaceutical and nutrition products. Policy MS40 should be reviewed to understand the formulary review process at The Nebraska Medical Center.** Starting July 1, 2014 you will need to visit www.medapproved.com to submit a request for The Nebraska Medical Center for us to review your information. You will need to have a sponsor who is willing to champion the product/service for you.
 - Individual Accounts are free to register, but there is a \$30 submission fee when submitting a request.
 - Corporate Accounts allow companies to have a single account with all their reps and products under one umbrella. The company has an annual subscription and no submission fee.

Please be sure to send all requests to "The Nebraska Medical Center" in MedApproved along with your sponsors name and current email address.

- B. It is the responsibility of the vendors to send all service histories including costs associated with it to the following email address: servicereports@nebraskamed.com each time they service or PM equipment.
- C. In general, are prohibited from accessing or requesting any confidential patient information (protected health information or "PHI") or proprietary information. Vendors who provide services on behalf of The Nebraska Medical Center and have access to protected health information shall sign a business associate agreement/addendum at the time the contract is negotiated (as soon as possible for existing contracts). The Business Associate agreement/addendum shall be filed with the contract. Vendors who require such access to

PHI shall be given the "minimum amount of PHI necessary" to accomplish the purpose of the contract (excluding treatment). The Nebraska Medical Center staff that provide vendors with confidential information in violation of this policy are subject to corrective action for breach of confidentiality under The Nebraska Medical Center policies on Confidentiality (HR.5) and Corrective Action (HR.7).

- D. Surgical scrub attire provided by The Nebraska Medical Center is supplied to sales representatives as a courtesy/privilege in order to provide service to our surgeons and staff. Surgical scrubs are to be returned to the appropriate location *prior to leaving the facility*. Failure to do so will result in corrective action and potential banishment from the facility.
- E. The Nebraska Medical Center is committed to providing the highest quality care to our patients and conducting our business with integrity and in compliance with applicable federal and state laws and regulations. As our partner in conducting our business, we expect that you will understand and support our policies. As a participant in the Medicaid Program that receives the minimum amount in payments annually, we are obligated to comply with the terms and requirements of the Deficit Reduction Act of 2005 (the "DRA"). In accordance with the DRA, we have written policies and procedures for all employees that provide detailed information about the Federal False Claims Acts, the Program Fraud Civil Remedies Act, relevant state laws, the whistleblower protections under such laws, and Nebraska Medical Center policies for detecting and preventing waste, fraud, and abuse.
- The DRA also requires that we provide this information to all contractors and agents for your review and that you agree to abide by the high ethical standards Nebraska Medical Center upholds in the work you do for us. As one of our partners, Nebraska Medical Center strongly encourages you to report any concerns about the work you do for us to the Compliance Department at 402-559-4130. You can also report concerns anonymously through the Nebraska Medical Center hotline at 1-800-822-8310
- We would ask your cooperation in ensuring this information is reviewed by your Compliance Officer or appropriate senior manager to ensure your company's support in our work. If there is another person at your organization who should receive this important information, please email us at bruis@nebraskamed.com

6. Gifts/Money/Entertainment/Favors

Vendor representatives should not offer excessive gifts or other things of value that may influence the decisions of hospital personnel. An excessive gift would be one that would exceed \$50.00 in value. Cash or equivalents (e.g. gift cards) are never acceptable.

7. Operating Room Areas

Vendors/sales representatives must register pursuant to paragraph 2 prior to entering the Operating Room Areas. Vendors/sales representatives are strictly prohibited from having direct patient contact or operating any medical equipment that is in direct patient contact. Vendors/sales representatives must comply with Perioperative Policies Section IX, Number 8, Product and Medical Device Evaluation and Selection for the Perioperative Practice Setting Section IX, Number 9, Visitors, Students and Sales Representatives in Perioperative Services Section X, Number 4, Operating Room Storeroom Security

8. Vendor Specific Department Policies

Departments with specific vendor policies include but are not limited to the following:

Pharmacy
Perioperative Services
Clinical Laboratory
Cardiac Cath Lab

STAFF ACCOUNTABILITY:

Resource Control Department	6/16/14
Asset Management	6/16/14
Pharmaceutical & Nutrition Care	6/16/14

Cardiovascular Services
Perioperative Services
Clinical Pathology
Privacy Officer

6/16/14
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6/16/14
6/16/14

Department Approval

Signed: Thomas J. Strudl

Title: Director

Department: Resource Control

Administrative Approval

Signed: Levi Sheppers

Title: Chief Administrative Officer