



HAWAII HEALTH SYSTEMS
C O R P O R A T I O N

"Touching Lives Every Day"

COMPLIANCE ALERT 12-13

Accepting Gifts: State Employee Guidelines

Often at conferences and outside meetings, State employees are offered gifts, meals and receptions from vendors, clients, private businesses, and the public. At many conferences, there is the opportunity to win--through a random drawing-- such things as an iPad™ or Kindle™ or a gift certificate to a store of some value.

Bottom line: State employees should generally not accept or solicit gifts when their time and expenses are being paid for by state funds.

Guidance from the Hawaii State Ethics Commission provides the following information:

- ❖ Gifts can take any form. So scrutinize and think about any offer, gift, present, etc. you receive. If in doubt, ask your Compliance Officer for guidance.
- ❖ There is no threshold dollar amount that determines whether a gift is acceptable under the ethics law. However, generally, small "aloha" gifts of value under \$25 are acceptable.
- ❖ Some gifts must be reported (HRS§84-11.5). For instance, if the gift is more than \$200 then it must be reported if the employee is able to take action that affects the interests of that source. There are a number of exceptions in the law so if in doubt ask your Regional Compliance Officer or HHSC's Chief Compliance and Privacy Officer.
- ❖ Small food gifts, a plant, a calendar, etc. are generally not likely to raise any ethics concerns. However, larger gift baskets and gift certificates will likely raise ethics concerns and should be cleared. For instance, often sharing the basket with the office staff may be an acceptable solution. You may have to return the basket or gift.
- ❖ If an employee does enter and win something of substance, such as the iPad™ or Kindle™ or gift certificate over \$25 it can be accepted as long as it is used for work purposes. The Ethics Commission says that since it was "won" on "state time" it may be accepted as long as it is used for the office or for work. So a gift certificate may be used to buy something for the office or office staff.

What to do? If Employees receive gifts or invitations and/or have questions, they should contact their Compliance Officer, call the HHSC Chief Compliance Officer, and/or call the State Ethics Commission at 808-587-0460.

Source: Hawaii State Ethics Commission publications 12/03 and 12/04.