

 <p>HAWAII HEALTH SYSTEMS CORPORATION <i>"Touching Lives Everyday"</i></p> <p>Policies and Procedures</p>	<p>Quality Through Compliance</p>	<p>Policy No.: CMP 0013</p>
		<p>Revision No.: 1</p>
<p>Subject: Use of State Resources in Support of Community Charities; Donations Prohibited</p>	<p>Issued by: Corporate Compliance Committee</p>	<p>Effective Date: June 18, 2009</p>
	<p>Approved by: HHSC Board of Directors By: Raymond Ono Its Secretary/Treasurer</p>	<p>Supersedes Policy: ADM 0012</p> <p>Page: 1 of 3</p>

I. PURPOSE:

- A. To establish a policy and procedure regarding authorized use of state resources of HHSC in connection with approved and appropriate community charity functions in order to avoid violations of the Hawaii State Ethics Code and to protect the organization from unnecessary risks; and
- B. To prohibit the use of HHSC funds for donations

II. POLICY STATEMENTS:

A. Use of State Resources in Support of Community Charities: HHSC employees may use limited HHSC resources in connection with support of community charity functions which have been approved in advance by the Governor of the State of Hawaii, or which have been approved in advance by the HHSC Chief Executive Officer (CEO), or by any Regional CEO (as applicable to that region) as (1) serving a legitimate State of Hawaii purpose;, (2) being consistent with HHSC's (or the region's) mission and function; and (3) where risk and operational issues have been addressed and resolved to the satisfaction of the applicable CEO.

B. Donations: Pursuant to Article VII, Section 4, State of Hawaii Constitution, no HHSC funds may be expended for donations, fundraisers, or gifts to any organization for any reason, except for a public purpose and with prior approval of the HHSC CEO. In the event an administrator wishes to buy advertising from an organization which is sponsoring a fundraising event, HHSC Procurement Policies and Procedures must be followed. A donation of funds which results in publicity as a donor does not qualify as advertising and is prohibited.

III. BACKGROUND ON STATE ETHICS CODE: HHSC is governed by and complies with the Hawaii State Ethics Code, HRS Chapter 84, which establishes a code of conduct for all state officials and employees. Certain sections of the State Ethics Code are relevant to fund-raising and other activities by state officials and employees in support of community charities. For example, there are ethics laws that apply to solicitations by state officials and employees; to the use of state government resources for private business purposes; and to the misuse of government office.

Although fund raising and other activities in support of community charities in state offices for "private business" purposes is generally prohibited by the State Ethics Code, certain activities, such as the annual Aloha United Way (AUW) campaign and food drives in support of the Hawaii Food Bank (or support of other applicable food banks in the State of Hawaii) have been approved and/or adopted as a state function by the State of Hawaii and are therefore not considered "private business." In such cases the State has authorized the limited use of state agency resources to support these community charities. In other cases, use of HHSC resources is permitted and will not violate the Hawaii State Ethics code, if the support has been approved in advance in accordance with this policy and procedure. However, The Hawaii State Ethics Code also prohibits any activities that are coercive in nature in support of such approved community charity efforts.

IV. PROCEDURE:

A. HHSC related foundations, AUW, Food Bank, & Other Governor Approved Charitable Activities:

1. Activities in support of the HHSC related foundations, AUW and Hawaii Food Bank (or other applicable charities) are approved and/or considered State functions and limited HHSC resources such as e-mails, bulletin boards, limited photocopying and limited staff time may be used in support of these community charities.
2. Approved activities in support of these community charities also include direct and indirect solicitation of funds for the HHSC related foundations and AUW - - such as through payroll contributions or via activities such as bake sales, community fairs and the like -- as well as food drives in support of the Hawaii Food Bank (or other applicable charities).
3. Participation in these activities may not be coercive in nature.

B. Other Community Charities:

1. Activities in support of other community charities may only occur if they have been approved in advance by the HHSC President and CEO, or by the HHSC Regional CEO (as applicable to that region) (referred to as the "Applicable CEO"), based upon a determination that the efforts in support of the particular community charity activity meet all of the following criteria:
 - (a) The activity would serve a legitimate State of Hawaii purpose;
 - (b) The activity is consistent with HHSC's (or the region's) mission and function;
and
 - (c) The risk and operational issues involved in providing support for the activity have been addressed and resolved to the satisfaction of the applicable CEO.
2. Participation in these activities may not be coercive in nature.
3. Approved activities in support of these community charities include limited use of HHSC resources such as e-mails, bulletin boards, limited photocopying and

limited staff time. Unless specifically approved, no direct solicitation of funds is permitted.

4. Risk and operational issues to be addressed will vary depending on the type of charitable activity involved. For example, a simple email message gives rise to different considerations than participation in a large community event. The Applicable CEO should review the proposed activity, make decisions relating to the parameters of involvement of facility resources, and communicate those parameters to employees. The types of issues include, but are not limited to, the following:
 - I, Use of staff time and in particular use of staff time off premises (applicable CEOs are encouraged to make clear that time devoted to such activities off premises is not required and, if provided by HHSC employees, is to be done strictly on a voluntary basis without compensation and outside of work time);
 - ii. Use of facility resources, such as, email, billboards, printers, copiers, supplies, meeting rooms, etc;
 - iii. Use of facility funds to buy additional materials, such as float supplies, items for booth displays, and other expenses;
 - iv. Liability concerns in “approving” of the activity where there is a risk of personal injury involved in the activity (such as, operating a float, ocean swims, building a float, etc.);
 - v. Insurance coverage issues (is separate coverage and a certificate of insurance required for the activity as not being on site or not part of the usual and customary business of the facility);
 - vi. Other issues that may arise depending on the circumstances.

C. State Ethics Consultation – In any case in which there is a question regarding the appropriateness of use HHSC resources in support of any Community Charity event, applicable CEOs and their staff are urged to seek an advance opinion from the Hawaii State Ethics Commission.

V. APPLICABILITY: This policy shall apply to all HHSC facilities and employees.

VII. AUTHORITIES: State of Hawaii Constitution, Article VII, Section 4; Hawaii State Ethics Code, Chapter 84 Hawaii Revised Statutes.