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| <b>DEPARTMENT:</b> Ethics and Compliance                   | <b>POLICY DESCRIPTION:</b> Gifts  |
| <b>PAGE:</b> 1 of 4  | <b>REPLACES POLICY DATED:</b> 7/15/08, 2/1/12, 4/15/13, 9/1/13, 12/1/13, 12/1/14, 9/1/18, 10/1/20 |
| <b>EFFECTIVE DATE:</b> February 1, 2025                    | <b>REFERENCE NUMBER:</b> EC.023   |
| <b>APPROVED BY:</b> Ethics and Compliance Policy Committee |   |

**SCOPE:** All Company-affiliated Facilities worldwide including, but not limited to, hospitals, ambulatory surgery centers, home health centers, home health agencies, physician practices, outpatient imaging centers, Parallon, joint ventures and all Corporate Departments, Groups, Divisions and Markets. This policy does not apply to HealthTrust Purchasing Group, which is subject to separate policies noted in the References section.

Gifts received from potential referral sources and potential referral recipients are governed by this policy. Gifts given to individuals who are potential referral sources and their immediate family members are governed by the Business Courtesies to Potential Referral Sources Policy, EC.005.

Meals and entertainment received by HCA Healthcare colleagues are not governed by this policy; they are governed by the Entertainment Policy, EC.006. Meals and entertainment extended to potential referral sources and their immediate family members are governed by the Business Courtesies to Potential Referral Sources Policy, EC.005.

#### **PURPOSE:**

To establish parameters for the extension of gifts to, and the receipt of gifts from, individuals or organizations who have a business relationship with the Company but which are not Foreign Officials.

#### **POLICY:**

To avoid the appearance of impropriety when giving gifts to, or receiving gifts from, individuals who do business or are seeking to do business with the Company, colleagues may never use or allow gifts or other incentives to improperly influence relationships or business outcomes.

In addition to being within our gift limits, an effort should be made to ensure that any gift we extend meets the business conduct standards of the recipient's organization.

Under no circumstances may a Company colleague solicit a gift.

#### **A. Receiving Gifts from Business Associates**

1. Company colleagues may accept gifts with a total value of \$75 or less in any calendar year from Business Associates, including potential referral sources or potential referral recipients.
2. In keeping with the Accreditation Council for Graduate Medical Education (ACGME), medical residents participating in Graduate Medical Education (GME) programs may not accept gifts from Business Associates, including but not limited to, pharmaceutical companies, manufacturers of medical devices, and biotechnology companies.
3. An HCA Healthcare Facility may NOT accept a gift from a potential referral source or a potential referral recipient.

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4. Perishable or consumable gifts received by a department or group are not subject to any specific dollar limitation. However, such gifts may not be received from the same business associate more than 6 times per year.
5. Company colleagues may accept gift certificates or gift cards, but may never accept cash or financial instruments (e.g., checks, stocks).
6. Additional information on the acceptance of funds from vendors is addressed in the Business Associate-Sponsored Meetings, Training and Honoraria Policy, EC.007.

#### B. Giving Gifts to Business Associates

1. Except as otherwise limited in this policy, and except as to potential referral sources and their immediate family members, a Company colleague or facility may give gifts to a Business Associate provided the total value does not exceed \$75 in a calendar year.
2. A Company colleague or facility may give gift certificates or gift cards to individuals other than potential referral sources and their immediate family members, but may never give cash or financial instruments (e.g., checks, stocks).
3. Gifts **given to** individuals who are potential referral sources and their immediate family members are governed by the Business Courtesies to Potential Referral Sources Policy, EC.005.
4. The Approval of Tokens of Appreciation in Recognition of Volunteer Efforts from Non-Referral Sources Policy, EC.008, permits occasional exceptions to the \$75 limit to recognize the efforts of those who have spent meaningful amounts of volunteer time on behalf of the Company. Any approval of such tokens of appreciation in recognition of volunteer efforts from non-referral sources are governed by EC.008.
5. Gifts to Medicare or Medicaid beneficiaries must not exceed \$15 per item nor total more than \$75 per year per recipient (see Compliance Alert #15: Beneficiary Inducement Prohibitions).

#### Gifts Given to Government Employees

U.S. Federal and state governments have strict rules and laws regarding gifts given to their employees. The Company must never provide gifts to any employee of the Executive Branch of the Federal government. With regard to gifts to any other category of government official or employee (e.g., state or local), colleagues must determine the particular rules applying to any such person and carefully follow them but in no event may the aggregate value of gifts given to any state or local employee exceed \$75 in a calendar year.

#### Gifts Exchanged Pursuant to Personal Friendships

A colleague who has become friends with an individual who has a business relationship with the Company and who engages in the practice of exchanging gifts with that individual may do so without any limits, **provided** the colleague does not include the gift as a business expense

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for tax purposes and does not charge the Company or otherwise receive reimbursement from the Company to cover this expense.

#### Gifts Given to a Company-affiliated Facility for Employee Welfare

This policy does not limit Company-affiliated Facilities from accepting gifts or donations that contribute to the welfare of the Facility's colleagues from non-referral sources and non-referral recipients, provided they are used and accounted for appropriately. With the Approving Authority's consent, a Company-affiliated Facility may accept such gifts or donations. The Company-affiliated Facility's leadership must establish a process to accept and equitably distribute such gifts or donation. Facilities are encouraged to consult with their Reimbursement Manager to ensure appropriate accounting of any proceeds received in connection with such gifts or donations.

#### Solicitation of Gifts or Donations from Business Associates or Potential Referral Sources

Individual colleagues may not solicit gifts or donations. If a colleague establishes a fundraising account (e.g., GoFundMe, Fundly, Bonfire, DonateKindly, Kickstarter or Crowdwise) for their own or a family member's or friend's benefit, they may not solicit donations from business associates or potential referral sources.

#### Foreign Officials

For guidance related to the provision of anything of value to a Foreign Official, please refer to the Global Anti-Corruption Policy, LL.AC.001. That policy establishes the parameters for the extension of anything of value to a Foreign Official.

**Application of this policy outside the United States.** The financial limitations and other aspects of this policy may be revised for certain non-U.S. countries in HCA Healthcare country-specific policies approved by the Anti-Corruption Responsible Executive (or designee) and the SVP and Chief Ethics and Compliance Officer (or designee), pursuant to the Global Anti-Corruption Policy, LL.AC.001.

#### **PROCEDURE:**

1. Exceptions to this policy are rare and may be granted only by the Company's SVP and Chief Ethics and Compliance Officer.
2. Each Company-affiliated facility's Ethics and Compliance Officer is responsible for overseeing implementation of this policy at the facility.

#### **DEFINITIONS:**

**Approving Authority** for purposes of this policy, means the applicable Facility CEO, Administrator or CFO; for a Group, Division or Market, the applicable President or CFO; and for any Corporate Department, the applicable corporate Senior Vice President or designee.

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**Business Associates** are those seeking to do or doing business with HCA Healthcare, an HCA Healthcare facility or an HCA Healthcare affiliate, including patients, their family members and vendors.

**Potential referral recipient** for purposes of this policy includes physicians or others to whom an HCA Healthcare facility may be in a position to provide referrals, such as (but not limited to) anesthesiologists, pathologists, radiologists, and hospital-based physicians, home health agencies, nursing homes, hospices, infusion companies, rehab providers, etc.

**Potential referral source** includes a doctor of medicine or osteopathy, a doctor of dental surgery or dental medicine, a doctor of podiatric medicine, a doctor of optometry, or a chiropractor, whether or not an employee of an HCA Healthcare affiliated entity. It does not include any such doctors who do not provide clinical care or order tests (e.g., physicians who provide non-clinical consulting or other leadership services to an HCA Healthcare affiliated entity and do not provide clinical services, such as non-referring Chief Medical Officers).

Company colleagues should consult the definition of Foreign Official, provided in the Global Anti-Corruption Policy, LL.AC.001, and be aware that physicians and other colleagues of hospitals or other facilities owned or controlled by national, state or local governments of any Foreign Country may be considered Foreign Officials under the Global Anti-Corruption Policy and Foreign Corrupt Practices Act.

#### REFERENCES:

1. [Code of Conduct, Business Courtesies Section](#)
2. Global Anti-Corruption Policy, [LL.AC.001](#)
3. Business Courtesies to Potential Referral Sources Policy, [EC.005](#)
4. Entertainment Policy, [EC.006](#)
5. Approval of Tokens of Appreciation in Recognition of Volunteer Efforts from Non-Referral Sources Policy, [EC.008](#)
6. [Compliance Alert #15](#): Beneficiary Inducement Prohibition
7. Business Associate-Sponsored Meetings, Training, and Honoraria Policy, [EC.007](#)
8. Solicitation Policy, HR.ER.026
9. HealthTrust Purchasing Group Policies:
  - Business Courtesies Given by HealthTrust to Others Policy, [HT.005](#)
  - Business Courtesies Received by HealthTrust Colleagues from Others Policy, [HT.006](#)