

RI.5 Illegal Remuneration / Non-Solicitation of Referrals

Purpose

To ensure the prohibition of solicitation of referrals, directly or indirectly, overtly or covertly and ensure compliance with Occupations Code, Chapter 102 pertaining to the Solicitation of Patients/Clients. PHC prohibits the payment or receipt of remuneration for securing or soliciting patients.

Definition

Solicitation of Patients: A person who knowingly offers to pay or agrees to accept, directly or indirectly, overtly or covertly any remuneration in cash or in kind to or from another for securing or soliciting a patient or patronage for or from a person licensed, certified, or registered by a state health care regulatory agency. Remuneration does not include any amount paid by an employer to an employee, who has a bona fide employment relationship with the employer.

Procedure

1. PHC does not reimburse or provide incentives to physicians, medical equipment providers, family, or other referral entities for patient referrals to the agency.
2. PHC informs employees at orientation regarding the non-solicitation policy.
3. Employees may sign a Non-Solicitation Statement.
4. Claims of solicitation and/or remuneration will be thoroughly investigated by management.
5. Employees found in violation of this policy will be subject to discipline up to termination of employment.
6. Agency may pay referral bonuses to employees, not independent contractors.

Responsibility

Ultimate responsibility lies with the PHC Administrator.