



American Society of Clinical Oncology

Guidelines for Vendor Gifts of American Society of Clinical Oncology

(April 19, 2013)

General Policy

The American Society of Clinical Oncology and its affiliates (collectively “ASCO”) engage in a wide range of programs and activities in furtherance of its mission. To facilitate these activities ASCO contracts with numerous advisors, vendors, suppliers, and service providers (each referred to as a “Vendor”). ASCO chooses Vendors based on their experience and qualifications. Continued Vendor relationships depend on client service and the quality of the Vendors’ products and services.

When choosing and interacting with Vendors, it is important that ASCO employees remain as independent decision-makers and avoid actual and perceived conflicts of interest. A conflict of interest could arise if an employee accepts a gift or favor of any type from a Vendor that is currently under contract with ASCO or that is under consideration for contract with ASCO.

Personal Gifts

Generally, ASCO employees (“Employees”) may not accept personal gifts of any value from Vendors. This includes but is not limited to cash payments, coupons, travel (direct payment or reimbursement), event tickets, credits, fees, return services, discounts, and valuable privileges or favors. In addition, Employees are prohibited from soliciting, and must decline, any form of compensation or value, directly or indirectly offered as a payment or kickback related to any government contract, grant, subgrant, or cooperative agreement.

Notwithstanding the general rule above, Employees may accept occasional personal gifts that are of nominal value and professional in nature (e.g., a mug or mouse pad). Employees may also accept modest gifts that can be consumed or are perishable, like food, beverages, or flowers, as long as they are appropriate for sharing in ASCO’s office environment. Such perishable gifts should be shared with other Employees in the office and should not be taken home.

If an employee receives a gift that is not consistent with these guidelines he or she should return the gift to the Vendor.

Holiday Gifts

ASCO is aware that it is customary for Vendors in some industries to send gifts to their clients during the holiday season. In lieu of gifts to employees, ASCO would prefer that Vendors donate to the Conquer Cancer Foundation. Any donations should be given and received as a gesture of good will and in the spirit of seasonal giving, with no expectation of reciprocal obligation.

Business Meals and Social Events

Employees may attend occasional business meals hosted and attended by Vendors. Business meals must have a legitimate business purpose and be moderate in price. Employees may attend occasional social or recreational events, such as sporting events or charity dinners, at the invitation of, and attended by, Vendors if the event serves a legitimate business purpose. Legitimate business purposes may include the opportunity for the Vendor to learn more about ASCO and for Employees to learn more about the Vendor's business in support of the Vendor's ability to deliver quality services. It is generally not necessary or appropriate for Employees to travel for the purpose of such meals and events. Invitations to meals and social events should not include the employee's spouse or guest, or the employee should pay for the spouse/guest's meal or ticket.

Demonstration of Capabilities

Items or services provided *gratis* by a Vendor for the legitimate business purpose of demonstrating the Vendor's capabilities to meet ASCO's needs are generally not considered gifts. For example, an employee may accept a complimentary meal or accommodation for the purpose of evaluating a restaurant's or hotel's suitability for an ASCO meeting.

Disclosure and Discipline

Disclosure is not required for gifts that are accepted or events that are attended in accordance with these guidelines.

Acceptance of a gift that is inconsistent with these guidelines shall be brought to the immediate attention of the ASCO Compliance Officer or ASCO's Associate Counsel, Ethics and must be promptly disclosed under the Implementation of ASCO's Conflict of Interest Policy for ASCO Leadership if the employee is subject to that policy.

A Vendor that knowingly offers or gives a gift inconsistent with these guidelines may be disqualified from an ASCO engagement. An ASCO employee who accepts a gift inconsistent with these guidelines may be disqualified from working with or participating in the selection of the Vendor, or may be subject to discipline.

Application:

Applies to ASCO

History:

*Adopted by the Office of the Chief Executive Officer on October 10, 2008
Amended on April 19, 2013*