

Policy

The Poverello Center, Inc. (TPC) is committed to conducting all operations with the highest standards of integrity, ethics, and compliance with applicable laws. As a nonprofit organization receiving federal and state funding (including Ryan White HIV/AIDS Program grants) and providing services to vulnerable populations, TPC strictly prohibits any form of kickback, bribe, rebate, or other improper remuneration intended to induce or reward referrals, purchases, or recommendations of services, goods, or items reimbursable under federal healthcare programs.

This policy ensures compliance with:

- The Federal Anti-Kickback Statute (42 U.S.C. §1320a-7b(b))
- The Stark Law (Physician Self-Referral Law, 42 U.S.C. §1395nn), where applicable
- The False Claims Act (31 U.S.C. §§3729–3733)
- Florida Statutes (e.g., §456.054 on kickbacks)
- HRSA/Ryan White Program integrity requirements

TPC fosters transparent relationships with vendors, partners, referral sources, and donors, prioritizing client well-being and equitable access to services without influence from personal gain.

Procedure**Covered Individuals**

This policy applies to all staff (full-time, part-time, contractors), volunteers, interns, board members, guests, and agents acting on behalf of TPC.

Prohibited Behavior

It is a violation of this policy to:

- Solicit, offer, receive, or pay any remuneration (cash, gifts, services, discounts, or anything of value) in exchange for: – Referring clients to TPC programs or services. – Recommending or arranging for the purchase, lease, or ordering of any goods, facilities, or services paid in whole or part by federal/state healthcare programs. – Influencing donor contributions, vendor selections, or partnerships.
- Accept gifts, entertainment, or favors from vendors, referral sources, or potential partners exceeding nominal value (\$50 aggregate per year per source). Meals or educational items must be modest and directly related to TPC business.
- Enter arrangements that violate safe harbors under the Anti-Kickback Statute (e.g., unfair discounts tied to referrals).

Exceptions (Permitted Activities):

- Fair market value compensation for bona fide services (e.g., contracted consulting with written agreement).
- Nominal gifts or community support consistent with nonprofit ethics. All exceptions must be pre-approved in writing by the CEO.

Reporting Violations

- Covered individuals must immediately report suspected violations confidentially to the CEO, Compliance Officer (if designated), or anonymously via the suggestion box or ethics hotline (to be established).
- No retaliation against good-faith reporters; protection under the False Claims Act and whistleblower laws.

Consequences

Violations will result in disciplinary action, up to and including termination of employment/volunteer status, contract cancellation, or board removal. Suspected criminal activity will be reported to appropriate authorities (e.g., HHS Office of Inspector General,

Florida Attorney General). Civil penalties under the Anti-Kickback Statute can include fines up to \$100,000 per violation, imprisonment, and exclusion from federal programs.

Training and Oversight

- All covered individuals receive mandatory annual training on this policy, fraud indicators, and ethical conduct during onboarding and refreshers.
- The CEO or designee oversees compliance, conducts periodic audits of vendor contracts, referral patterns, and gifts, and maintains a log of disclosures.

Shared Responsibility

Ethical operations require cooperation:

- Staff and volunteers must disclose potential conflicts (cross-reference Conflict of Interest Policy).
- Supervisors ensure fair vendor selection and referral practices.

Communication

- This policy is distributed upon onboarding, posted on the intranet/website, and reviewed annually.
- Integrated into orientation sessions and volunteer handbook.

Resources

- HHS OIG Compliance Guidance for Nonprofits (oig.hhs.gov/compliance).
- HRSA Ryan White Program Integrity Toolkit.
- False Claims Act Overview (justice.gov).

Approvals

Staff/Volunteer Signature:

Date:

Manager's Signature: Thomas Pietrogallo **Date:** 12.14.2025 **CEO**

Signature: Thomas S. Pietrogallo, MSW, LCSW, MBA **Date:** 12/14/2025 **BOD Approved**

Date: Revision Approval Pending **Date Established:** before 12/14/2025