KAISER PERMANENTE®

VENDOR VISITATION REQUIREMENTS
FOR VENDORS, CONTRACTORS, AND SUPPLIERS

1. **Definitions.** The following terms shall have the meaning set forth below for purposes of this Vendor Visitation Requirements document (the "***Requirements***"):

"***Business Associate"*** is a person or entity, other than a member of the workforce of KP, who performs functions or activities on behalf of, or provides certain services to, KP that involve access by the business associate to PHI. The HIPAA Rules require that KP and its business associates enter into Business Associate Agreements to ensure that the business associates will appropriately safeguard PHI.

"Supply Chain Services" or "SCS" is the department within KP responsible for the supply chain, the end-to-end business processes of sourcing, contracting, requisitioning, ordering, receiving, warehousing/distribution, and payment for goods and services supplied by Vendors.

"Health Care Facility" means a KP facility where health care services are provided.

"***Kaiser Permanente***" or "***KP"*** consists of the entities participating in the integrated health care delivery organization doing business as Kaiser Permanente® and its affiliates, which includes Kaiser Foundation Health Plan, Inc., Kaiser Foundation Hospitals, The Permanente Federation, the Permanente Medical Groups, Kaiser Permanente Insurance Company, Kaiser Permanente Ventures, and all subsidiaries and successors of the foregoing.

"Patient Care Areas" means the area within a Health Care Facility where members or patients are examined or treated, including but not limited to patient rooms, Neonatal Intensive Care Unit (NICU), and operating rooms.

"***Protected Health Information***" or "***PHI***" means the protected health information, data, or records as defined by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) relating to or concerning any patient, member, or plan participant of any Kaiser Permanente entity.

"***Vendor***" means any contractors, manufacturers, suppliers, distributors, wholesalers, service companies, and other businesses that provide, or seek to provide, products and/or services to Kaiser Permanente and/or Kaiser Permanente members or patients. Vendor(s) does not include providers of direct medical services (e.g., physicians and hospitals).

"**Vendor *Credentialing System"* or *"Credentialing System"*** means a third-party software solution which establishes the credentials required for Vendor Reps and their companies to obtain access to a health system's facilities. At any KP facility utilizing a Credentialing System, the Vendor Reps and their companies are required to register, providing background information such as taxpayer id number, training, certifications, immunizations, health screenings, background checks, and agreeing to abide by facility and department requirements.

"Vendor Credentialing System Badge" or **"Credentialing Badge"** refers to any identification badge produced by a Credentialing System. Each time a Vendor Rep visits a Kaiser Permanente patient care facility using a Credentialing System, the Vendor Rep registers using either a mobile app or special kiosk in the medical center. If there are no outstanding requirements, the system records the visit information and produces a badge displaying the Vendor Rep's identity and clearance to visit for a specific time period during that day. This badge does not provide physical access to facilities.

"Vendor Representative" or "Vendor Rep" means a Vendor's employee, contractor, or agent.

2. Scope. The Requirements shall apply to any Vendor Representative visiting any KP facility or department within a KP facility. In addition, some KP regions, facilities, and departments have adopted stricter requirements for vendor visitation, in which case, the Vendor Representative must follow the more stringent requirements.

3. General Visitation Requirements. Vendor Representatives must adhere to the following:

a) **Overall.** This Requirements document must be reviewed and accepted by each individual Vendor Representative visiting a KP facility. An electronic (or actual) signature acknowledgement that the Vendor Representative has reviewed and shall comply with the Requirements must be provided by Vendor Representative to KP directly or via its Vendor Credentialing System and shall remain on file. The Requirements will be updated from time to time and a new signature or acknowledgement will be required.

Access to Kaiser Permanente facilities by Vendor Representatives is a privilege. Please ensure you, and your representatives, are familiar with the requirements in this document and any additional requirements which may exist for specific regions, facilities and departments prior to your visit.

Emergency circumstances such as wildfires, health pandemics, or civil unrest may necessitate the rapid implementation of supplemental, temporary vendor visitation requirements and/or visitation restrictions. Time permitting, written supplemental requirements and/or information will be posted in our Credentialing Systems and on the KP vendor website https://supplier.kp.org/.

b) **Adherence to Requirements**. Vendor Representative shall adhere to all requirements, policies and procedures relating to ingress and egress to and from the premises, parking, safety, smoking, waste disposal, infection control, hand hygiene, and confidentiality of KP PHI, employee, and business information.

c) **Appointment Required.** Visiting Vendor Representatives must have a scheduled appointment with a specific individual. "Cold calls"— whether in person, by telephone, or e-mail—are not permitted.

d) **Registration Requirements.** All Vendor Representatives must check in and register prior to each visit to an area (other than a "public area") of the KP facility and prior to proceeding to his/her scheduled appointment. Each facility will specify the process of vendor registration used and information to be provided. Vendor Representatives are required to ensure all requirements have been satisfied prior to each visit.

Each registration only applies to the date, area, and specific individual appointment scheduled, and does not provide authorization to visit other KP areas or access for future visits.

Each Vendor Representative will be issued, depending on the facility, a Credentialing Badge or other temporary badge valid for a specific time period during that day and which must always be worn and be visible while in the facility. Vendor Representatives must also wear their official company badge.

After the appointment, this badge must be returned or deposited in a secure bin as specified by KP facility or department.

e) **Promotional Activities and Publicity**. Advertising, press releases, or any other public announcements regarding the use of a Vendor's products/services at KP is strictly prohibited. A Vendor is not permitted to use the names, trade names, service marks, trade dress, or logos of Kaiser Permanente in any advertising/publicity on the internet or otherwise without KP's prior written consent as described in the "Non-Endorsement Guidelines for Vendors, Contractors and Suppliers" ("Non-Endorsement Guidelines") posted on KP's Vendor website: https://supplier.kp.org/requirements-guidelines/general/non-endorsement-guidelines/. Vendor agrees to abide by the Non-Endorsement Guidelines. No promotional activities or materials are allowed in patient care or procedure areas.

Distributing pens, posters, pamphlets, booklets, and other promotional materials at KP facilities is not permitted without first obtaining written consent from the appropriate KP departmental representative (i.e., Lab, Pharmacy, local compliance representative, etc.).

While at a KP Health Care Facility, a Vendor Representative is not permitted to promote or attempt to sell any medical product to a KP physician or employee that has not already been approved for use by KP (i.e. no upselling or cross-selling). Additionally, Vendors are not permitted to provide any medical product for use or sale during a medical procedure that is already a stocked inventory item (whether owned or consigned) at the KP Health Care Facility. KP may refuse to pay for any products provided in violation of this provision.

Vendors are prohibited from sending unsolicited sales materials/invitations via e-mail, text, or phone to KP physicians or employees.

Upon KP request, Vendors are permitted to provide educational materials to KP employees and physicians.

Vendor Representatives who fail to comply with these Visitation Requirements may lose visitation privileges.

f) **Product Display.** Vendor Representatives may not display products in public areas of KP facilities, including but not limited to lobbies, elevators, cafeterias, or corridors without prior written approval from the appropriate KP departmental representative.

g) **Use of Wireless Network**. Access to KP's guest wi-fi network is available for visitor use upon acceptance of the online Kaiser Permanente Acceptable Use Policy, which prohibits the following activities:

- File Sharing;
- Unlicensed downloading of copyrighted files;
- Initiating or participating in unauthorized or personal mass mailings to news groups, mailing lists, or individuals (including but not limited to chain letters, spam, floods and bombs);
- Illegal activity of any kind;
- Giving others by password or other means unauthorized access to any user or network account;

- Disguising or attempting to disguise the identity of the account or machine being used. This includes but is not limited to spoofing IP addresses, impersonating any other person or entity, or misrepresenting affiliation with any other person or entity; and
- Using this network to gain or attempt to gain unauthorized access to remote networks, including remote computer systems. Kaiser Permanente is not responsible if any personal information sent through the wireless network is viewed or exploited by others.

Failure to comply with these requirements may result in loss of rights to use this service and visit KP facilities.

h) **Training.** Occasionally, KP employees and physicians require training on new products or procedures. In such cases, the Vendor Representative is required to work with the appropriate KP department representative to define the requirements and timing for the training program and materials.

i) **Business Associate Agreement.** KP is required to adhere to rules established by HIPAA, which is a federal law governing:

- The privacy of identifiable health information—referred to as protected health information (PHI)—regardless of the format in which it exists (this includes electronic, written, and verbal information)
- Electronic data interchange and code set standards
- Security of PHI

HIPAA applies to a Business Associate, as well as to health care providers and health plans. If a Vendor is determined to be a "Business Associate" of KP, then the Vendor must comply with the KP Business Associate Agreement, available for review at: https://supplier.kp.org/requirements-guidelines/general/business-associate-agreement/

4. Overall Requirements for Health Care Facilities. The following section pertains specifically to vendor visitation at KP Health Care Facilities.

a) **Restricted Areas.** Vendor Representative activities are confined to non-patient care areas unless accompanied by a KP employee or physician. Restricted areas include but are not limited to:

- All patient areas and nursing floors;
- Surgery/operating rooms and units, perioperative units (pre/post), and other patient procedure areas;
- Emergency Department;
- Laboratory and Pharmacy areas;
- Physician and employee offices and lounges areas;
- Mailroom and copy rooms;
- Supply storage areas; and
- Central Sterile Processing.

b) Evaluation Equipment, Loaners and Samples of Medical Devices, Equipment and Products.

All medical devices, equipment and products provided for evaluations or as loaners will be requested by and delivered to Supply Chain Services (or receiving facility or department specified by Supply Chain Services) using a no charge purchase order and/or evaluation agreement. Vendor Representatives are strictly prohibited from dropping off unordered, non-requested products of any kind, and any invoices associated with such products will not be honored.

If payment is expected for such sample/evaluation/loaner which will be left at a KP facility, an approved purchase order must be obtained from Supply Chain Services prior to product drop-off. To understand how to work with KP when conducting product evaluations, please refer to the Rules of Engagement for Clinical Product Evaluations posted on KP's Vendor website: https://supplier.kp.org/requirements-guidelines/supply-chain/rules-of-engagement-for-product-evaluation/ .

Loaner and evaluation equipment must be checked in and clearly tagged with the name of the owner company. Vendor must work with Clinical Technology or other locally designated department to schedule drop-off, removal, and performance testing including electrical safety testing. Maintenance of Vendor's equipment used for clinical evaluations or as loaners is the responsibility of the vendor. Compliance with Clinical Technology requirements is the financial responsibility of the Vendor.

Delivery of loaner medical equipment to a KP facility must be arranged to allow adequate time for Clinical Technology or the locally designated department to perform all necessary tests and approve the equipment for use. Removal of loaner equipment is the responsibility of the Vendor. The costs of supplies associated with loaner medical equipment must be pre-approved by Supply Chain Services. KP may refuse to pay invoices for supplies provided in violation of this provision.

Vendor Representative must provide written documentation demonstrating the status of U.S. Food and Drug Administration ("FDA") clearances and any other proof of regulatory compliance to FDA requirements for medical products and equipment being left at the facility.

c) Standard Delivery of Medical Supplies, Equipment and Products. With the exception of the process described above in Section 4. b), deliveries of medical supplies, equipment and products must be made through the KP Receiving Department (unless otherwise instructed by Buy to Pay.) Failure to properly deliver could result in late or non-payment of an invoice. For detailed instructions, please refer to the Distribution and Transportation Guide: https://supplier.kp.org/requirements-guidelines/supply-chain/distribution-and-transportation-guide/

d) Medical/Surgical Product Standards. Kaiser Permanente has established national standards for a wide variety of medical devices, equipment and supplies, and actively supports the use of national contracts. Non-standard products in competition with these national standards may not be promoted unless under an approved exception via the national standards exception process. Any accompanying medical literature reprints, for such a non-standard product, must denote on the literature that the product is non-standard according to KP.

Vendor Representatives for medical device companies are prohibited from:

- Communicating contract specific information prior to the formal announcement by KP;

- Obtaining KP contract signatures for medical devices and/or associated services without Supply Chain Services approval;
- Inaccurately representing contract agreement language, terms and conditions, etc.; and
- Completing KP national standard product exception requests on behalf of KP employees or physicians.

5. Requirements for Patient Care Areas.

a) **No Direct Contact.** Vendor Representatives must comply with all applicable requirements, policies and procedures regarding access to patient care areas of KP facilities. In general, Vendor Representatives are not allowed in any patient care area unless accompanied by a KP employee or physician. In addition, Vendor Representatives must have:

- Completed any necessary and/or required training;
- Documentation evidencing completion of required health screenings; and
- Signed, acknowledged and/or provided all required documents including, if applicable, a Business Associate Agreement (BAA) and the patient/member HIPAA authorization form.

b) **Health Screenings, Vaccinations, Certifications.**

- Prior to entering any patient care area or procedure/operating room, Vendor Representatives shall be in satisfactory health, i.e. free of communicable disease symptoms such as fever, cough, or runny nose;
- Confirm that prior to scheduling a surgery appointment, Vendor Representatives have received all required vaccinations, immunizations and health screenings (see requirements:https://supplier.kp.org/requirements-guidelines/onboarding/health-screening-requirements/
- Ensure all certifications are obtained and proper documentation establishing compliance have been submitted through the Credentialing System utilized by that facility or if no Credentialing System, via local security, or the designated process for that facility;
- Vendor Representatives must register with Operating Room Department Manager or designee prior to entering patient care area; and
- Vendor Representatives must comply with any additional local facility, departmental and regional requirements.

c) **Scrubs.** Vendor Representatives must comply with the KP facility requirements regarding surgical attire when entering an operating room or other patient procedure area, including the use of clean scrubs or purchase of single use scrubs, and proper disposal of used scrubs. Representatives are not permitted to take KP scrubs away from the KP facility.

d) **Lab Coat.** Vendor Representatives must comply with the KP facility requirements regarding Lab coats when entering Clinical Laboratory areas, including the use of clean linen Lab coats or single use Lab coats; and the proper disposition of used linen Lab coats in designated receptacles and/or paper lab coats in appropriate waste containers.

e) **Photography/Video**. Taking photographs and/or videos in patient care areas is prohibited without the approval of the KP department manager. Additionally, members and patients must give prior written consent for any photography/videos which include his/her image.

6. Requirements for Pharmacy. Vendor Representatives for pharmaceutical companies must comply with all KP Vendor Visitation Requirements as well as any applicable KP Pharmacy national and regional requirements, policies and procedures.

7. Vendor Code of Conduct and the Failure to Comply. KP takes its responsibility to comply with all federal and state laws and regulations, as well as upholding high ethical standards in its business practice, its code of conduct and its requirements and policies, very seriously. The Vendor Code of Conduct https://supplier.kp.org/requirements-guidelines/general/vendor-code-of-conduct/ contains the minimum standards by which all Vendors are expected to conduct themselves when providing goods and services to Kaiser Permanente. Adherence to The Vendor Code of Conduct in conjunction with the Vendor Visitation Requirement are critical to our vendor's ability to work effectively with Kaiser Permanente.

Vendor Representatives must adhere to KP's requirements regarding gifts and business courtesies, including, without limitation, restrictions on providing gifts, food or other business courtesies. Vendor Representatives for medical device and pharmacy manufacturers must never provide any items of value which are subject to disclosure under the Federal Physician Sunshine Payment Act without first obtaining approval from the KP physician or hospital administrator who would be reported.

Some KP facilities or regions have adopted stricter limits on acceptance of gifts and business courtesies than those in the Vendor Code of Conduct, in which case, the Vendor Representative must follow the more stringent requirements. For example, employees and physicians in KP's Northern California Region are not permitted to accept gifts or entertainment of any kind or value.

Failure by Vendor Representatives to comply with these requirements may result in revocation of visitation privileges for the Representative and/or the Vendor. Revocation of privileges in one facility may result in similar revocations in others, and loss of privileges may be permanent.

8. References/Attachments

a) Appendix I: Enumerated Infractions

b) National Requirements

Distribution and Transportation Guide on the KP Vendor website at:
(https://supplier.kp.org/requirements-guidelines/supply-chain/distribution-and-transportation-guide/)

Rules of Engagement for Product Evaluation on the KP Vendor website at:
(https://supplier.kp.org/requirements-guidelines/supply-chain/rules-of-engagement-for-product-evaluation/)

Health Screening Requirements on the KP Vendor website at:
(https://supplier.kp.org/requirements-guidelines/onboarding/health-screening-requirements/)

Non-Endorsement Guidelines on the KP Vendor website at:
(https://supplier.kp.org/requirements-guidelines/general/non-endorsement-guidelines/)

Vendor Code of Conduct on the KP Supplier website at: https://supplier.kp.org/requirements-guidelines/general/vendor-code-of-conduct/

c) **Other References.**
Supply Chain Services Vendor Information Website Home Page: (https://supplier.kp.org/).

I acknowledge that I have reviewed and agree to comply with the Kaiser Permanente Vendor Visitation Requirements.

VENDOR NAME: _____

VENDOR REPRESENTATIVE NAME: _____

_____ _____

VENDOR REPRESENTATIVE SIGNATURE **DATE**

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Enumerated Infractions

The following are examples of those activities expressly prohibited and any one of these may result in the temporary or permanent loss of visitation privileges for the Sales Representative and/or Company. Revocation of privileges may apply at both facility level and/or nationally. Loss of visitation privileges may be permanent.

- Failure to register using the credentialing system (where available) or via other process as instructed
- Failure to have all required immunizations and health screenings
- Failure to follow any Operating Room (OR) procedures including having an appointment and OR registration
- Entering a patient care area in unsatisfactory health
- Failure to comply with privacy and security regulations and requirements
- Presence in restricted areas
- Violating any of the requirements of the Vendor Code of Conduct
- Violating KP's restrictions on providing gifts, food or other business courtesies.
- Making unscheduled visits without obtaining a prior appointment
- Distributing promotional materials detailing non-standard products, not specifically requested by Kaiser Permanente personnel