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Department **Board - ABD**

Ticket and Pass Distribution Policy, ABD-27

RISK:

The risk of having tickets distributed without a policy is that it may constitute a gift to the official and be subject to the reporting and gift limits under the Political Reform Act, as well as having the appearance of impropriety and/or favoritism.

POLICY:

A. Purpose of Policy

1. The purpose of the Ticket and Pass Distribution Policy of the Tahoe Forest Hospital District ("District") is to ensure all tickets and passes distributed by the District to an official of the District, or at the behest of an official of the District, are issued in furtherance of public purposes of the District as required under Section 18944.1 of the Regulations of the Fair Political Practices Commission ("FPPC"). This policy applies to any tickets or passes which the District: (i) receives from a third party but which is not earmarked by that party for use by a specific public official; (ii) controls as a sponsor of, or otherwise because it has control over, an event; or (iii) purchases.
2. This policy shall be applicable to every officer, agent and employee of the District who is obligated to file an Annual Statement of Economic Interests (Form 700) under state law or the District's current [ABD-06 Conflict of Interest Code](#).

B. Limitations

1. This policy only applies to the District's distribution of tickets and passes to a public official, or at the request of a public official, for which no consideration of equal value is provided by the public official. Reimbursement of actual and necessary expenses of any member of the District Board or any District committee incurred in the performance of official duties shall be governed by the District's [ABD-03 Board Compensation and Reimbursement Policy](#).

2. Nothing in this policy shall inhibit the District's full compliance with the federal anti-kickback statute, which prohibits the acceptance of any item of value (remuneration) made directly or indirectly, in cash or in kind, that may induce or appear to induce the purchase or referral of any kind of health care goods, services, or items reimbursed by a federal or state health care program (Medicare and Medicaid). The unlawful acceptance of any gifts or business courtesies from vendors or others with whom the District presently conducts, or potentially could conduct business is strictly prohibited.
3. A ticket or pass is not subject to this policy and not a gift for purposes of the Political Reform Act, if it is taxable income to the official.

C. Official Duties; Ceremonial Roles

1. Tickets provided to public officials as part of their official duties, or tickets provided so that the public official may perform a ceremonial role or function on behalf of the District are exempt from any disclosure or reporting requirements subject to the criteria set forth under Section 18944.1 of the FPPC Regulations and this policy.

D. Public Purposes

1. The District may provide a ticket or pass to a person subject to this policy for any of the following District purposes provided the President and Chief Executive Officer or his or her designee, or the District Board, determines that providing the ticket or pass actually benefits the District by accomplishing one or more of the following:
 - a. Promotion of District-controlled or sponsored events, activities, or programs, including conventions and conferences.
 - b. Promotion of community programs and resources available to District employees, including nonprofit organizations and youth programs.
 - c. Highlighting the achievements of District officials, employees, or hospital stakeholders.
 - d. Promotion of private facilities available to District residents, including charitable and nonprofit facilities.
 - e. Promotion of public facilities available to District employees.
 - f. Promotion of District growth and development, including economic development and job creation opportunities, which contributes to the healthcare of the community in the future.
 - g. Promotion of special events conducted pursuant to a contract to which the District is party.
 - h. Promotion of the District on a local, regional, state, or national scale.
 - i. Promotion of open government by participation of public officials at business or community events.
 - j. Implementation of written contracts under which tickets or passes are required to be made available for District use.
 - k. Furtherance of employment retention programs.

- l. Furtherance of special outreach programs for veterans, teachers, emergency services, medical personnel and other civil service occupations.
 - m. To reward a hospital healthcare partner for its contributions to the District or the community.
 - n. To provide opportunities to those who are receiving services from county and state agencies consistent with the District's goals for the particular population (e.g., for use by juvenile wards in the custody of the Chief Probation Officer or mental health clients and seniors receiving services from the Health and Human Services Agency/Public Health); or
 - o. Any similar purpose stated in any District contract.
2. A ticket or pass distributed to an official for the official's personal use, other than Board Members, the President and Chief Executive Officer, political appointees, or department heads, to support general employee morale, retention, or to reward public service is deemed to serve a public purpose.
 3. Tickets distributed under this section are not gifts within the meaning of the applicable FPPC regulations, and as such need not be reported on the employee's Form 700. However, the President and Chief Executive Officer or his or her designee shall report tickets distributed for a public purpose under this section on FPPC form 802 within 45 days of distribution. A completed Form 802 will be maintained as a public record, subject to inspection and copying under Government Code section 81008. The District will post FPPC form 802, or a summary of the information on the form, on its website and send a link to such form or summary to the FPPC via e-mail for posting on the FPPC web site.

E. Return of Tickets and Passes

1. Any public official may refrain from using or return any ticket or pass to the District. Under no circumstances may either the public official or a member of his or her immediate family sell any ticket and pass provided under this policy. Tickets and passes are not subject to this policy or gift limitations under the Political Reform Act if the public official reimburses the District for the fair value within 30 days of receipt.
2. Tickets or passes provided to public officials cannot be transferred to any other person except a member of the public official's immediate family or no more than one guest solely for their attendance at the event.
3. If a public official transfers a ticket he or she has received from the District to another person, as opposed to returning the ticket to the District for redistribution or as provided in section E.2 above, then the value of the ticket or tickets he or she transfers shall constitute a gift to him or her and shall be reportable as provided by the regulations of the FPPC.

F. President and Chief Executive Officer

1. The District delegates the authority to distribute any ticket and pass in accordance with this policy to the President and Chief Executive Officer or his or her designee

and such authority includes the power to distribute such a ticket to the President and Chief Executive Officer provided that doing so is otherwise consistent with this Policy. Tickets and passes must not be distributed disproportionately to Board Members, the President and Chief Executive Officer, political appointees, or department heads.

G. Website Posting

1. This policy and Form 802 reports required by Section 18944.1 of the FPPC Regulations shall be posted on the District's website as required by that Section. A link to the District's posting of this policy shall be sent to the FPPC via e-mail so that the FPPC may post the link.

All Revision Dates

05/2023, 07/2020, 07/2018

Approval Signatures

Step Description	Approver	Date
	Harry Weis: CEO	05/2023
	Martina Rochefort: Clerk of the Board	05/2023