Purpose/Scope: The following chart is intended to provide a summary of the existing AdvaMed Code as it relates to the provision of educational items or patient benefit items to Health Care Professionals (HCPs). It is not intended to address the legitimate practice of providing products for evaluation and demonstration purposes, which is addressed in Section XII of the Code, nor should it be utilized in lieu of the complete AdvaMed Code of Ethics. Companies are not obligated to follow this chart. Refer to the AdvaMed Code for definitions of HCP, Company, and other terms.

- **Is the item to be provided to an HCP?**
  - **Yes**
  - **No**

  - **Is the item intended for the patient (e.g., starter kit, educational brochures)?** [Section IX, FAQ 42]
    - **Yes**
    - **No**

    - **Is the item capable of a non-educational, non-patient-related purpose of the HCP?** [Section IX]
      - **Yes**
      - **No**

      - **Is the item offered as an unlawful inducement?** [FAQ 42]
        - **Yes**
        - **No**

        - The item is a permitted patient benefit item and may be provided.

    - **No**

    - **Is the item offered as an unlawful inducement?** [FAQ 42]
      - **Yes**
      - **No**

      - **The item is a permitted educational item and may be provided.**

  - **No**

  - **Does providing the item to the HCP serve a genuine educational function for the HCP?** [Section IX]
    - **Yes**
    - **No**

    - **Is the item capable of a non-educational, non-patient-related purpose of the HCP?** [Section IX]
      - **Yes**
      - **No**

      - **Is the item a non-educational branded promotional item?** [Section IX]
        - **Yes**
        - **No**

        - **Does the item have a fair market value of less than $100, except for medical textbooks and anatomical models?** [Section IX]
          - **Yes**
          - **No**

          - **Is the item offered as an unlawful inducement?** [FAQ 42]
            - **Yes**
            - **No**

            - **The item is prohibited by the Code. Do not provide.**

        - **Yes**

      - **Yes**

    - **No**

    - **Does providing the item to the HCP serve a genuine educational function for the HCP?** [Section IX]
      - **Yes**
      - **No**

      - **Is the item capable of a non-educational, non-patient-related purpose of the HCP?** [Section IX]
        - **Yes**
        - **No**

        - **Is the item a non-educational branded promotional item?** [Section IX]
          - **Yes**
          - **No**

          - **Does the item have a fair market value of less than $100, except for medical textbooks and anatomical models?** [Section IX]
            - **Yes**
            - **No**

            - **Is the item offered as an unlawful inducement?** [FAQ 42]
              - **Yes**
              - **No**

              - **The item is a permitted educational item and may be provided.**

      - **Yes**

    - **No**

  - **No**

- Items not provided to HCPs are outside the scope of the AdvaMed Code.

  - **Note:** For items provided directly to the patient, companies must undertake their own analysis of the federal prohibitions against offering remuneration to Medicare Beneficiaries to induce the selection of providers or products.

Examples of prohibited gifts include:
- All items capable of non-educational, non-patient-related use (e.g., iPod, iPad, DVD player);
- Non-educational branded promotional items (e.g., pens, notepads, mugs);
- Gifts such as wine, flowers, cookies, chocolates, gift baskets, holiday gifts, or cash/cash equivalents;
- Giving flowers, fruit baskets, etc. to recognize HCP life events (wedding, birth, anniversary, death, etc.); and
- Raffling off items (or giving such items away at a tradeshow) to HCPs that would otherwise be prohibited.

[Section IX, FAQ 38, 40, 41, 42]