PURPOSE OF POLICY
Establish guidelines for securing the services of Independent Contractors.

SCOPE
This policy applies to all Ellis Medicine employees involved with Independent Contractors.

DEFINITIONS
A. Employer-employee relationship - a relationship in which Ellis Medicine has the right (whether or not it exercises the right) to supervise and control the manner of performance, as well as the result of service.
B. Independent contractor – Generally, independent contractors are free of supervision, direction and control in the performance of their duties and offer their services to the general public. They are not engaged in an employer-employee relationship with Ellis Medicine and typically perform infrequent, technical, or unique functions.

PROCEDURES
A. Arrangements to secure the services of an independent contractor may be entered into only when the services cannot be performed economically, satisfactorily or timely by existing Ellis Medicine employees.
B. Arrangements to secure an agreement for the services of an independent contractor must be done so within the guidelines of Organizational Policy 1200, Authority to Act.
C. The engagement of an Independent Contractor shall be governed by an agreement between Ellis Medicine and the Independent Contractor. The agreement must include a description of the nature of work, where and when work will be performed, resources that may be required, payment terms and conditions, and insurance coverage requirements.
D. In cases where it is difficult to determine the correct status of the individual, the department shall consult with Human Resources and/or Hospital legal counsel to determine whether an employer-employee relationship exists.
E. A final administrative determination that no employer-employee relationship exists must be made before the proposed agreement is executed. If an employer-employee relationship would be established by the business arrangement, the department shall follow the normal employment process.
F. In accordance with Organizational Policy 9050, Conflict of Interest, Ellis Medicine employees shall disqualify themselves from participating in a decision that may result in material financial gain to them, including decisions relating to contracting for the services of an Independent Contractor.
The Independent Contractor shall submit an invoice setting forth the services provided, time spent and appropriate charges. The department responsible for the Independent Contractor is responsible for verifying and approving payment for services rendered based on the terms of the agreement.

The Hospital has established a confidential reporting system through which employees and other agents may report either in person or in writing to the Corporate Compliance Officer potential problems without fear of retribution. Employees and other agents may write to the “Compliance Officer, Ellis Medicine, 1101 Nott Street, Schenectady, New York 12308” or they may call the Compliance and Fraud Hotline at 1-888-253-7864, or submit a concern online at https://ellis.alertline.com. In conducting investigations, the Corporate Compliance Officer, Internal Audit staff and the Corporate Compliance Committee shall respect the confidentiality of privileged records and information, and shall comply with applicable confidentiality laws and ethical standards.