

## **NoHLA Gift Acceptance Policy**

### **1. Overview**

This policy is meant to guide prospective donors who are considering a gift to Northwest Health Law Advocates (NoHLA). NoHLA is a 501(c)(3) nonprofit organization, tax ID 91-1961032, dedicated to improving health care access for all Washingtonians and to advancing health as a human right. NoHLA has more than 20 years of experience in legal and policy advocacy representing the interests of marginalized communities including immigrants, people who have Medicaid, and seniors. NoHLA's work is guided by a strategic plan (regularly updated) that identifies key goals and opportunities to address health care access challenges. We also respond to threats and opportunities that arise to raise awareness and advocate on behalf of consumers.

Our work is made possible by the generous support of individual donors, foundations, organizations, and corporations who believe in NoHLA's mission to make health care accessible and affordable for all Washingtonians.

We prioritize gifts that make the biggest impact on our organization to raise all voices and fight for vulnerable populations, promoting justice and equity in health care. Thank you for considering a gift to NoHLA!

### **2. Tax Deductibility**

Gifts to NoHLA are deductible charitable contributions, to the extent permitted under §170 of the Internal Revenue Code. We encourage prospective donors to seek the assistance of personal legal and financial advisors in matters relating to their gifts, including the resulting tax and estate planning consequences.

### **3. NoHLA Mission, Vision, Equity Statement and Values**

Mission: NoHLA's mission is to achieve a health care system that enables all individuals to receive quality, affordable health care on an equitable and timely basis, and ensures they have basic rights and protections.

Vision: NoHLA's vision is a health care system that allows all Washington residents to receive quality, affordable health care.

Equity Statement: At NoHLA, we believe all people have a fundamental right to pursue health. Health equity is our purpose. We use legal and policy advocacy to challenge the inequities in our health care system based on race, gender, immigration status, language, ability, sexual orientation, poverty, and other factors that produce adverse health outcomes and compound economic disparities for structurally marginalized communities. Our commitment to equity, anti-racism, and health justice guides us in our mission to ensure affordable, quality health care is available to all.

#### **4. Gift Acceptance Policy**

NoHLA will solicit and accept gifts that are consistent with our mission, values, and racial equity commitment, and that support our core programs, general operating expenses, and special projects as defined in our current annual budget and strategic plan at the time of the gift. Gifts must comply with our policies, procedures, and status as a 501(c)(3) non-profit organization. Donations and other forms of support will generally be accepted from individuals, corporations, foundations, government agencies, and other entities. NoHLA depends upon the generosity of our donors and appreciates all intended gifts. However, not all gifts may be appropriate for NoHLA, and acceptance of any gift is at our discretion.

The contributions that have the greatest impact on NoHLA typically include unrestricted cash and publicly traded and readily marketable securities which can and will be sold immediately upon receipt. Contributions will be accounted for per NoHLA's Financial Policies. In the event NoHLA accepts a gift with no donor restriction, NoHLA has the sole discretion to retain or dispose of such a gift without the consent of the donor. All gifts, whether addressed in this policy, should further NoHLA's mission, align with our values and racial equity commitment, and comply with our status as a 501(c)(3) non-profit organization.

#### **5. Gift Acceptance Committee**

The ad hoc Gift Acceptance Committee, composed of the Board Treasurer, Board President, Executive Director or their designee, and Development Committee Chair will review proposed gifts as described in this policy.

##### **A. Gifts with Donor Restrictions**

The Gift Acceptance Committee will review proposed gifts with donor restrictions and make decisions on accepting gifts. Acceptance of any gift is at NoHLA's discretion. The Gift Acceptance Committee must document the gift review/decision process and share the final documentation with the board.

##### **B. Planned Gifts**

NoHLA accepts planned gifts made via bequest of unrestricted cash, and publicly traded and readily marketable securities which can and will be sold immediately upon receipt.

In the event a NoHLA employee, board member, or representative serves as an executor of a decedent's estate or as trustee of a living trust or other trust intended to serve as a person's primary estate planning document (collectively referred to as the "Fiduciary"), the individual shall serve as Fiduciary in their individual capacity and independent of their role with NoHLA. NoHLA reserves the right to refuse any bequests.

##### **C. Gifts of Securities**

NoHLA accepts publicly traded and readily marketable securities, which can and will be sold immediately upon receipt. The Executive Director or designee, with notice to the Finance Committee and opportunity for input, shall review each gift of securities immediately after its receipt. All gifts of marketable or non-restricted securities will be sold as soon as practicable upon NoHLA becoming the legal owner of the security.

#### **D. Non-Cash Gifts**

NoHLA accepts non-cash gifts including real property. Donors will be required to cover the associated costs, including but not limited to legal fees and real estate consultations unless otherwise recommended by the Gift Acceptance Committee and approved by the Board.

Donors must obtain an appraisal of non-cash gifts at their own expense and provide a copy of such appraisal to NoHLA prior to any decisions about gift acceptance. NoHLA will not cover the cost of appraisals, title transfers, pick-up, delivery, storage, refurbishment, cleaning or other maintenance or special treatment of non-cash gifts.

#### **E. Other Gifts**

i. In-kind gifts for NoHLA's day-to-day operations (such as equipment, software, professional services, etc.), may be accepted according to NoHLA's need for and ability to make efficient use of such gifts. These in-kind gifts for operations may be accepted directly by NoHLA staff with oversight from NoHLA's Executive Director or their designee.

ii. Any gifts that do not directly support NoHLA's core programs, general operating expenses, or projects as defined in our current annual budget and strategic plan at the time of the gift must be reviewed prior to acceptance and approved by the Gift Acceptance Committee due to the special liabilities they may pose. The Gift Acceptance Committee upon review of the gift, may establish additional terms and conditions for any gifts of real property and other non-cash gifts. The Gift Acceptance Committee must document the gift review/decision process and share the final documentation with the board. NoHLA will not accept real property and other non-cash gifts if there are restrictions on the gift, or if it cannot be sold upon receipt. There is no guarantee that a potential gift will be approved by NoHLA.

#### **6. Exceptions**

In the event NoHLA plans to accept a gift as an exception to this policy and requires the counsel of external professionals to review donor terms, donor will cover the expense of hiring these professionals to cover the associated costs, including but not limited to legal fees and real estate consultations unless otherwise recommended by the Gift Acceptance Committee and approved by the Board.

#### **7. Conflict of Interest**

NoHLA staff and board members are required to disclose the nature of their relationship with potential donors of a gift subject to review by the Gift Acceptance Committee. Those with actual or perceived conflicts of interest will abstain from the gift review and decision-making process.

If potential donors are engaged in business or activities that are not consistent with NoHLA's mission, values and racial equity commitment, NoHLA reserves the right to refuse gifts from these donors.

### **8. IRS Filings upon Sale of Gifts**

Upon the donor's request, NoHLA shall promptly complete and sign the Donee portion of IRS Form 8283 acknowledging receipt of donated property (except publicly traded securities). NoHLA does not assume any responsibilities for the information or values stated in the IRS Form 8283 and will sign the form solely to acknowledge receipt of donated property.

To the extent applicable, NoHLA shall file IRS Form 8282 upon the sale or disposition of any Charitable Deduction Property with a value greater than \$5,000 that is sold or disposed of within three (3) years of receipt by NoHLA. NoHLA shall file the IRS Form 8282 within 125 days of the date of sale or disposition of the charitable deduction property.

### **9. Changes to or Deviations from the Policy**

This policy has been reviewed and accepted by the NoHLA Board of Directors, which has the sole power to change this policy.

#### **Definitions**

**Fiduciary:** A fiduciary is someone who manages money or property for someone else. Fiduciaries are required by law to manage the person's money and property for their benefit.

<https://www.consumerfinance.gov/ask-cfpb/what-is-a-fiduciary-en-1769/>

**Marketable securities** are investments that can easily be bought, sold, or traded on public exchanges.

<https://www.investopedia.com/ask/answers/033015/what-are-some-common-examples-marketable-securities.asp#toc-types-of-marketable-securities>

**Publicly Traded Securities:** Publicly traded securities are securities including shares, stock options, bonds, mutual fund units that are traded freely on the market.

<https://www.charitycentral.ca/receipting/receipting-learning-centre/gifts-in-kind/publicly-traded-securities/>