

## Christmas Is Here...And Gifts For Healthcare Professionals.

### CLINICAL CASE

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Dr. Ruiz, a cardiologist, is on call when a 62-year-old man, Jorge, is brought to the hospital by ambulance. He presents with severe precordial pain and an electrocardiogram suggestive of a myocardial infarction. Jorge has been experiencing similar, though less intense, episodes over the last few months. After evaluation in the emergency department and a coronary angiography, a coronary angioplasty is performed. The intervention is successful, and the patient shows a remarkable recovery. In the months that follow, Jorge, a businessman, repeatedly expresses his deep gratitude to Dr. Ruiz, attributing not only his improved health, but also his opportunity to “live again” to the physician's care.

At a follow-up appointment in December, Jorge and his wife reiterate their gratitude again for not only the successful procedure but also, for all the comprehensive follow-up care. Ana, Jorge's wife, tells Dr. Ruiz that, given the season, they wish to thank him in a special way for his professionalism and present him with a gift. Jorge hands Dr. Ruiz a box containing a gold necklace from a well-known international brand. Dr. Ruiz is taken aback and impressed by the gift. Although he doesn't know the monetary value of it, he suspects it's substantial. Jorge and Ana explain that this is a sincere expression of gratitude and that they don't expect anything in return. Additionally, they insist that rejecting the gift would be “offensive”, since the gift represents for them something minimal in comparison to having saved Jorge's life. Dr. Ruiz understands that it is a sincere expression of gratitude and they are not seeking any secondary benefit, but nevertheless he feels uncomfortable. Should Dr. Ruiz accept the gift?

### ETHICAL ANALYSIS OF THE CASE

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In the scenario, the gift presents an ethical dilemma due to its high economic value, which calls into question whether it can truly be considered a simple expression of gratitude. Dr. Ruiz faces a conflict between respecting Jorge's generosity and upholding his professional duties, with the decorum expected of a good professional. He's unclear whether accepting such an “excessive” gift goes beyond the courtesy that should govern the doctor-patient relationship.

While he understands Jorge's gratitude, refusing to accept the gift might offend him and strain their relationship. Conversely, accepting the gift may cause a sense of “extra” obligation toward Jorge in the future, it could lead to him prioritizing his care over that of other patients.

Additionally, regardless of Jorge's financial situation the necklace represents an excessive expense for the patient.

### **POSSIBLE COURSES OF ACTION**

- ☐ Accept the gift and thank Jorge and Ana.
- ☐ Tell Jorge that it's an expensive gift and so he should consider it carefully before accepting it.
- ☐ Ask the head of the department for permission. If approved, it may be accepted.
- ☐ Consult the Medical Association on the matter and get their opinion.
- ☐ Accept the gift and then donate it back to the hospital or to a non-profit foundation.
- ☐ He should refuse the gift but thank the patient for the gesture and explain that the gift is not appropriate due to its economical value and it could affect their clinical relationship.
- ☐ Let Jorge know that if he wishes to express his gratitude in such a generous way that the hospital has a research unit through which patients may make altruistic donations.
- ☐ Maintain the doctor-patient relationship and maintain the same level of care and commitment to the patient, regardless of the gift.
- ☐ Reject the gift and refer the patient to another cardiologist who can provide his follow-up care from now onward.

### **RECOMMENDED COURSE OF ACTION**

- ☐ Due to the economic value of the gift, the cardiologist should refuse it.
- ☐ He should express his gratitude to the patient and his wife, but explain that it would be inappropriate to accept such a gift as it undermines his professionalism.
- ☐ During the conversation, it should be made clear, refusing the gift does not imply any change in their clinical relationship. The same standard of care will be maintained as before.
- ☐ If Jorge insists on making a generous gift to express his gratitude for the care he received, healthcare centers have research units and/or foundations where patients can make donations. This would have a positive impact on the hospital as a whole without affecting Dr. Ruiz and his professional activities.

### **DISCUSSION**

On many occasions, patients often wish to express gratitude to their healthcare team for their care and support during clinical processes. This gratitude may be conveyed verbally and, at times, through a small token or gift (e.g., a box of chocolates), typically given to the team as a whole. However, when gifts are excessive, physicians may feel uncomfortable or be conflicted, because they involve a disproportionate economic value, or they may suspect a secondary benefit behind the gesture. In such cases, it should be noted that there is no legal regulation on this matter and that the Code of Medical Ethics also does not regulate how to act in response to gifts from patients.

Accepting small, symbolic gestures of appreciation is generally acceptable, as these reinforce the courteous relationship that should exist between a professional and patients, just as in any other area of professional relationships. Contrastly, direct payments of money or high-value gifts should be refused, even if given voluntarily. Gifts should also be declined when, even if they are not economically disproportionate, the physician perceives that they are not given as a genuine gesture of gratitude but rather in order to obtain favor, or secondary gain (e.g., move up an appointment, receive specific treatment etc). Nevertheless, in every situation, it is important to thank the patient for the gesture and to inform them why, in that particular case, the gift is not appropriate while preserving the clinical relationship and ensuring the patient does not feel embarrassed or uncomfortable.

**Sgd.:** Bioethics and Health Law Committee ASISA-Lavinia  
December 23, 2025