

MEDICAL INDUSTRY INTERACTION

Originator: Corporate Compliance

Approved By: Mark T. Steele, M.D., Executive Chief Clinical Officer

Policy: Interactions between University Health (UH) Workforce Members and Board Members (collectively “Covered Persons”) and University Health Physicians (UHP) (collectively, “the Institutions”) and representatives of the pharmaceutical and other medical industries shall be conducted so as to avoid or minimize conflicts of interest and to support the Institutions’ missions and values.

The primary objective of this policy is to facilitate ethical interactions between the Institutions and the medical industry to ensure medical decisions are based on the best interests of the patient.

This policy applies to the following interactions with Industry:

1. Gifts, compensation, and meals.
2. Access by Industry sales and marketing representatives.
3. Support for medical educational and professional activities.

Scope: Corporate Facility Department

X	University Health Truman Medical Center (UHTMC)
X	University Health Lakewood Medical Center (UHLMC)
X	University Health Lakewood Care Center (UHLCC)
X	University Health Surgery Center (UHSC)

Procedure:

I. General Provisions

- A. All Workforce Members will abide by UH’s Code of Conduct.
- B. All Covered Persons will comply with the UH Compliance Office’s requests for annual disclosure of financial interests.
- C. Exceptions to this policy will be managed in accordance with TMC’s [Code of Conduct](#).

II. Entertainment and Recreation

- A. Except as otherwise permitted by this policy, Covered Persons shall not request or accept any gifts from Industry Representatives, including payments, travel, hospitality, meals, tickets, favors, or other goods or services, extending even to “reminder” items like pens and notepads. Covered Persons shall not accept awards, speaking engagements, or other honoraria based on the Covered Person’s number of orders, purchases, or referrals. This prohibition shall not apply to gifts to patients, except sample medications, as set forth in the following Subsection II.B or to charitable gifts to the UH Charitable Foundation so long as the gift is not channeled to individuals for direct promotion of Industry products.

- B. Sample medications may be accepted only by the Pharmacy Department. If Industry Representatives request a physician signature for delivery of samples (which is not required by law), the physician may meet with representatives in the Pharmacy Department. Prescriptions for medication samples may be written by individual practitioners as long as the samples are maintained and dispensed by the Pharmacy Department. Workforce Members shall not dispense sample medications directly to patients. See the [Medication Samples](#) policy.
- C. Covered Persons may contact the Corporate Compliance Office if additional information is desired.

III. Access by Industry Sales and Marketing Representatives

- A. Prior to interacting with any Covered Person, pharmaceutical Industry Representatives shall register with the Pharmacy Department and non-pharmaceutical Industry Representatives shall register with the Supply Chain Services Department. Refer to the [Supplier Engagement](#) policy.
- B. Pharmaceutical Industry Representatives:
 - 1. Shall not enter clinical areas for any purpose.
 - 2. Meetings with Industry Representatives to discuss pharmaceutical information about non-Formulary medications shall be held in non-clinical areas and only at the request of the Pharmacy Department or the Pharmacy and Therapeutics (P&T) Committee.
- C. Non-pharmaceutical Industry Representatives:
 - 1. May only access clinical areas:
 - a. To provide needed in-service training or assistance on Industry products already purchased; or
 - b. To assist Covered Persons to evaluate new Industry products before purchasing them.
 - 2. Such access must be by appointment, with approval from the appropriate Department Chair or Program Director, in coordination with the TMC manager/director of the clinical area.
- D. Industry Representatives shall comply with the [Supplier Engagement](#) policy.
- E. All Covered Persons shall report any violations of this policy to the UH Corporate Compliance Officer or the Compliance Concern Line – (866) 494-3600.
- F. If any Industry Representative violates this policy, the sanctions shall be a written notice for the first offense, a 6-month suspension from TMC for the second offense, and a permanent ban from UH for the third offense.

IV. Support for Medical Education and Professional Activities

- A. Industry support is solicited and appreciated in Continuing Medical Education (CME) or other continuing education requirements (e.g. Continuing Nursing Education) designed to enhance the quality of care provided to patients. Because of the potential for undue Industry influence or speaker bias, the ACCME has strict standards for commercial support and influence in CME. See www.ACCME.org.
- B. All educational events at UH shall comply with ACCME Standards for Commercial Support, whether or not CME credit is awarded.

- C. Industry support for the education of Covered Persons shall be:
 - 1. In the form of grants provided only to the Institution for distribution;
 - 2. Managed by the System Director, Professional Provider Administration;
 - 3. Free of any real or perceived Conflicts of Interest;
 - 4. Reviewed and approved by the Conflict of Interest Panel;
 - 5. Specifically for the purpose of programs the Institution has determined have educational merit and that are free of content related to non-Formulary medications.
- D. Covered Persons shall not accept compensation for attending an event or other activity or conference if the Covered Person is not presenting at the event, organizing the meeting, or serving in the capacity as a research study investigator or study staff for a funded research project. Even where compensation is permitted, it shall be limited to reasonable payment or reimbursement of ordinary and necessary travel, meals, and conference expenses.
- V. Research grants or contracts from Industry shall require deliverable results of comparable value. All Covered Persons who conduct or engage in research activities at the Institutions shall, in accordance with Institutional policies, disclose any Significant Financial Interest the Covered Person currently has, or has had within the past year, with the research study sponsor. See the [Research – Protection of Human Subjects and the Conduct of Research](#) policy.
- VI. Pharmacy and Therapeutics Committee (P&T Committee)
 - A. At the time of appointment to the P&T Committee and annually thereafter, all Committee members shall disclose to the full Committee the nature of any current or recent (within the past year) Significant Financial Interest they have with any pharmaceutical manufacturer or seller. This information shall be reiterated to the Committee each time the Committee considers a request for Formulary addition by the manufacturer or seller of a medication in which a member has a Significant Financial Interest. Any member of the P&T Committee who has any Significant Financial Interest shall abstain from discussion and voting on all requests, whether or not a medication under consideration is recommended for addition to the Formulary.
 - B. Any Covered Person requesting a Formulary change or otherwise presenting to the P&T Committee shall similarly disclose any Significant Financial Interest and abstain from discussion on all Formulary requests.
- VII. Publications and Presentations
 - A. Covered Persons are prohibited from publishing articles written or funded in whole or material part by Industry, unless the Industry participation is fully disclosed.
 - B. In scholarly publications, Covered Persons shall disclose any related Significant Financial Interest in accordance with the standards of the International Committee of Medical Journal Editors (ICMJE). See www.ICMJE.org

C. Planners of and presenters at lectures and presentations shall disclose to the audience whether or not they or their Family have any financial interest in the manufacturer or seller of any product or service to be discussed in the course of the presentation or in the commercial supporter of the program at which they are speaking.

VIII. Faculty with supervisory responsibility for employees, students, residents or fellows should ensure any actual or potential Conflict of Interest does not affect or appear to affect the supervision.

IX. All Covered Persons shall receive training about potential Conflicts of Interest and interactions with Industry.

Definitions:

Conflict of Interest: A situation in which someone or some entity has professional, financial, or personal interest(s) that compete significantly with the interests of the Institutions or their patients. Such competing interests can make it difficult to fulfill a Covered Person's duties impartially. Even if there is no evidence of improper actions, a Conflict of Interest can create an appearance of impropriety that can undermine confidence in the ability of that Covered Person to act properly.

Covered Persons: Workforce Members and UH Board of Directors.

Family: Spouse, partner, parent, or dependent child.

Formulary: The current active medication list maintained by the Pharmacy and Therapeutics Committee.

Industry: Organizations and individuals that manufacture or sell pharmaceuticals or equipment, devices, supplies, electronic medical record software, or other products that have a direct impact on patient care.

Industry Representative: A sales, marketing, or other representative of an Industry member.

Research: A systematic investigation designed to develop or contribute to generalizable knowledge.

Significant Financial Interest: Receipt in the past year, or expectation of the receipt, of value, including salary or other payments for services (e.g. consulting fees, honoraria, payments for advisory roles); research funding; equity interests (e.g. stocks, stock options, dividends, or other ownership interests); and intellectual property rights (e.g. patents, copyrights, or royalties from such rights) for a Covered Person. This does not include:

- Salary, royalties, or other remuneration from a Covered Person's employer;

- Income from seminars, lectures, or teaching engagements sponsored by public or nonprofit entities;
- Income from service on advisory committees or review panels for public or nonprofit entities;
- An equity interest that when aggregated for the Covered Person or Family is not more than a \$10,000 ownership interest in any single entity; or
- Pooled resources directly held through funds (e.g. mutual funds, pension funds, or other institutional investment funds) in which the Covered Person or the Family does not control the selection of investments.

Workforce Member:

1. Employees, volunteers, trainees, medical or allied health staff, residents/fellows, medical students, contract workers, and other persons whose conduct in the performance of work for UH is under the control of UH, whether or not they are paid by UH.
2. Additionally for confidentiality and patient privacy purposes, any individual who obtains access to UH information as the result of training, education, auditing, research, investigative, or volunteer activities; regardless of where such activities take place.