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SECTION: HUMAN RESOURCES

AREA: EMPLOYEE RELATIONS

SUBJECT: INDUSTRY INTERACTION

PURPOSE

This policy is established to ensure transparency in relationships between UAMS employees and Industry. It is imperative that UAMS as an institution and its employees maintain the utmost in professional integrity, protecting the missions of education, research and patient care from the undue influence of outside forces.

This policy is intended to limit Industry interactions that are aimed at marketing goods or services to UAMS employees or have the potential to influence UAMS employee decision-making. It is not intended to limit or hamper the exchange of information in the research setting or publication of research findings.

SCOPE

This policy applies to all UAMS employees, faculty and staff.

DEFINITIONS

Ghostwriting means inclusion of an author who should not be listed as an author and has not met the qualifications of authorship, or failure to include an individual who should be listed as an author given his or her involvement in the manuscript.

Healthcare Industry or Industry means individuals and organizations involved in the development, manufacture, supply, or delivery of health products or services. Healthcare Industry includes, but is not limited to, pharmaceutical and medical device manufacturers, medical supply companies, patient transportation and ambulance services, hospitals, laboratories, medical imaging providers, and physician or nursing service providers. Healthcare Industry does not include government agencies, academic medical centers, or accredited public or non-profit institutions of higher education or their affiliated research institutes.

Immediate Family Members means spouses, domestic partners, children, parents, grandparents, and siblings.

Speakers' Bureau means an arrangement that has **any** of the following characteristics:

- The company has the contractual right to dictate or control the content of the presenter's presentation;
- The company creates the slides or presentation material and has final approval of the content and edits; or

- The speaker is expected to act as the company's agent or spokesperson for the purpose of disseminating company or product information.

UAMS Institutional Officials shall mean the Chancellor, Provost, Vice Chancellors, Deans, Executive Associate Deans, and Institute Directors, and the individual's Immediate Family.

Clinical Vendor(s) shall mean any representative of a manufacturer or company who visits for the purpose of soliciting, marketing, or distributing products or information regarding the use of medications, products, equipment and/or services to clinical areas.

Non-clinical vendor/Contractor/Consultant shall mean individuals who represent companies providing a service or product to a UAMS Department or working on UAMS construction projects.

POLICY

I. Industry Interactions:

All consulting agreements, speaking engagements, Industry business arrangements and other outside activities of faculty members and UAMS Institutional Officials for which remuneration is received, that are not part of their UAMS duties, must be approved in advance by: for faculty the Chair or Director and the Dean; and for Institutional Officials the Chancellor or his designee. Approval shall be processed using the electronic outside employment system at <https://secure.uams.edu/OutsideEmployment/Login.aspx>.

A. Consulting relationships.

Consulting agreements must comply with [University of Arkansas Board of Trustees Policy 450.1](#) governing outside employment, and must be defined by a formal, written agreement which:

- Clearly defines the tasks to be performed;
- Provides for compensation at fair-market value; , and
- Is for a defined contract period.

College of Medicine faculty members are also subject to Faculty Group Practice policies ([7000-0100-500 FGP P&R Financial Responsibility](#)) governing outside income and the associated approval requirements.

B. Industry-Supported Speaking Engagements/Speakers Bureaus.

Speaking engagements at conferences and other activities supported in whole or in part by Industry are subject to restrictions to protect the integrity of employees and UAMS. Speaking engagements are considered outside employment, and are also governed by [University of Arkansas Board of Trustees Policy 450.1](#).

Employees are prohibited from participation in speaking engagements referred to as “Speakers’ Bureaus”. Acceptable speaking engagements must meet all of the following requirements:

- Financial support by Industry shall be fully disclosed.
- Content shall be determined solely by the presenter. Industry sponsors may not make revisions or approve presentation content.
- Slides, abstracts, etc. shall be originated by the presenter.
- The use of the UAMS name shall be limited to identification of the speaker.
- The speaker shall not express or imply UAMS approval or endorsement of any product or service.
- Attendees shall not receive gifts or compensation for event attendance.

C. Disclosure.

In accordance with *Administration Guide Policies 4.4.10, 4.4.11 and 4.4.13*, UAMS employees must disclose all Industry relationships that reasonably appear to be related to their UAMS duties or responsibilities.

Employees involved in making institutional decision with respect to procurement of supplies, equipment, pharmaceuticals, or medical devices shall disclose related financial interests of the employee or his/her Immediate Family Members to the purchasing unit or selection committee and shall recuse themselves from any such purchasing decisions.

- D.** Financial relationships between UAMS clinicians and organizations in the Healthcare Industry which might represent a conflict of interest will be disclosed on the UAMS website in accordance with policy *4.4.10*.

E. Ghostwriting.

UAMS employees are prohibited from engaging in Ghostwriting or otherwise lending their name as author, co-author or editor of any material (including, but not limited to, papers and presentations) prepared by Industry representatives or agents. Individuals credited with authorship must meet the criteria of the International Committee of Medical Journal Editors. Authorship credit must be based on:

- Substantial contributions to conception and design, acquisition of data, or analysis and interpretation of data;
- Drafting the article or revising it critically for important intellectual content; and
- Final approval of the version to be published.
(<http://www.icmje.org/recommendations/browse/roles-and-responsibilities/defining-the-role-of-authors-and-contributors.html>)

F. Gifts and Meals

Pursuant to *UAMS Administrative Policy 4.4.09*, UAMS employees are prohibited from accepting or soliciting gifts (including meals) from Industry.

II. Pharmaceutical Samples:

Drug samples from Industry representatives may be accepted only by the Pharmacy Department and must be delivered directly to the Pharmacy Department. Such samples will be inventoried pursuant to the *Department of Pharmacy Policies and Procedures Number 5:15*.

Use of sample medications is not permitted on inpatients, and storage of samples is not allowed in inpatient areas.

The Outpatient Pharmacy may store and dispense samples under the same controls as other prescription medications. (Please refer to Department of Pharmacy Policy and Procedure Number 5:15.) Sample medications will be dispensed at no charge to the patient.

Storage, use and distribution of free drug samples in outpatient clinic areas is prohibited except when a clinical unit applies for an exception for a specific medication or patient population. Applications for exceptions should be made by the clinic Practice Director to the Pharmacy Department. Outpatient areas permitted to store drug samples will be required to comply with pharmacy department policy. (Please refer to Department of Pharmacy Policy and Procedure Number 5:15.)

No samples of controlled substances will be allowed under any circumstances.

In lieu of free drug samples, vendors are encouraged to provide vouchers to clinics that will, when accompanied by a valid prescription, enable patients to receive medications at low or no cost from retail pharmacies. Practitioners are also encouraged to prescribe lower cost generic medications when appropriate and assist patients with Industry-sponsored reduced cost drug programs.

III. Contact with Industry Vendor Sales Representatives

A. General Guidance.

1. Because patient care is our priority, vendor sales reps are granted access to UAMS locations only as a courtesy. Vendors shall visit UAMS locations only by appointment. It will be the responsibility of the UAMS department to monitor compliance of all vendors following this requirement.

2. All clinical vendors, regardless of reason for visit, must register or be certified through the vendor management system. Clinical vendors should register every time they are on-site at any UAMS location.
3. Clinical vendors visiting a UAMS location for the first time must register with the Supply Chain Materials Management department. The Supply Chain Materials Management department will provide vendors with vendor certification information and a one-day temporary visitor's pass, if applicable.
4. Clinical vendors doing business with UAMS who will be visiting more than one time must be certified through the vendor management system.
5. Appointments are required for entrance into any UAMS facility. Employees are under no obligation to grant vendor appointments, and such appointments shall be rescheduled in the event unanticipated patient care requirements arise.
6. The UAMS department is responsible for entering scheduled appointments with clinical vendors in the vendor management system. Access and training for UAMS employees to the vendor management system will be provided by the Supply Chain Department Business Coordinator and can be arranged by calling 686-8949.
 - a) During normal business hours of 7:30am-4:00pm, Monday through Friday, non-registered representatives shall sign-in at the Supply Chain Materials Management department located on the ground floor G151 in the central building.
7. Each UAMS location will have a designated check-in area for vendors. All Vendors and any accompanying associates must display a UAMS vendor identification badge to be allowed on site. The UAMS vendor identification badge must be clearly displayed during all visits. Refer to *Admin Guide policy 11.03.05*
8. UAMS reserves the right to limit the number and duration of time a vendor can visit a UAMS location.
9. Vendors may not conduct a vendor trade fair or show in any UAMS area without the prior written approval from the participant department heads.
10. Vendors visiting a UAMS location for the sole purpose of monitoring Institutional Review Board approved research studies are exempt from this policy during monitoring visits only.
11. Physicians may request an additional company representative to observe a procedure without completion of the vendor certification process. Such

representatives must provide written documentation of compliance with the requirements in this policy.

12. Pricing comparisons are frequently misleading since the ultimate cost of supplies is dependent on many factors, including contracted discounts and rebates. Therefore, only pricing/cost information which has been approved by the Supply Chain and/or Pharmacy may be discussed, and only upon the request of the administrative or clinical department leader.
13. Vendors shall not solicit procedure or patient volumes or competitive cost information from UAMS employees, and UAMS employees shall not share internal reports, communications, agendas, minutes, or other documents intended for internal distribution with vendors.. Further, UAMS employees shall not provide physician or operating room schedules or pricing information with vendors. Any such vendor queries should be referred to Supply Chain Management department.
14. Failure to comply with this policy may result in revocation of vendor access by Supply Chain Materials Management or its designee for a period of not less than one (1) month. To achieve reinstatement, the vendor must consult with Supply Chain Materials Management and may be required to recertify through the vendor management system. Repeated or flagrant violations of this policy may result in permanent suspension of privileges for a particular vendor representative and if necessary, the vendor itself. Vendors and/or vendor representatives who are suspended for policy violations shall not be entitled to refund of any certification fees.

B. Certification Process.

1. To confirm that a clinical vendor interested in visiting a UAMS location is knowledgeable of applicable UAMS policies, including those addressing privacy and confidentiality, vendors are required to successfully complete vendor certification by registering with vendor management system prior to any appointments being scheduled.
2. Costs associated with the vendor certification process shall be borne by the vendor. The vendor certification process may be initiated through submission of a written application accompanied by a non-refundable fee to cover the costs of vendor education, certification and ongoing compliance monitoring.
3. Certification sessions are part of a web-based vendor management system. Educational materials may be accessed through the UAMS website. Applicable policies may either be accessed through the UAMS website or will be provided by the appropriate department.

4. To achieve certification, vendors must review and agree to comply with applicable policies. Once certification is achieved, a UAMS vendor identification badge will be issued.
5. Vendors must be recertified annually.
6. Non clinical vendors should follow the process for issuance and certifications in *Admin Guide policy 11.03.05*.

C. Patient Care or Procedure Area Requirements.

1. To protect patient privacy and safety, vendors are allowed in patient care areas (Operating Room, Cardiac Catherization Laboratory, Vascular Laboratory, Electrophysiology Laboratory, Echo Laboratory, Radiology, and other interventional Procedure areas) during procedures only with the consent of the patient, physician, and the manager in charge.
2. Vendors shall be allowed in patient care areas only upon presentation of the following:
 - a) A letter of competency from their employer that states that the vendor has had the qualified training to supervise procedures utilizing the described company equipment/tools and/or the ability to train others in the use of their product;
 - b) A background check on all vendors that will be observing or performing procedures with patients;
 - c) Documentation of TB testing within the last twelve (12) months; and
 - d) Execution of a confidentiality agreement.
3. Vendors must wear UAMS scrubs in any areas that require scrubs to be worn. When leaving the area, the UAMS scrubs must be returned.
4. Vendors may wear their own scrubs in areas where scrubs are not required. Black is the suggested color of the scrubs. Any other colors are discouraged.

D. Access.

1. Vendor sales representatives must enter UAMS locations at designated vendor check in locations. These locations can be found by accessing the following link. http://intranet.uams.edu/supplychain/vendor/vendor_menu.asp
2. A vendor who has not entered at a designated vendor check in location will be considered in violation of the policy.
3. Except as provided for herein, vendors are restricted to visiting physicians' offices, administrative offices, Supply Chain Management, Pharmacy, and

public areas. Vendors shall not utilize the UAMS cafeteria or employee lounges or break areas for vendor business.

E. Displays.

1. In conjunction with approved UAMS continuing education courses, research symposia, or other educational activities, vendors may place displays adjacent to meeting rooms if all of the following conditions are met:
 - a) The course director approves the use of commercial displays;
 - b) Display placement is not a condition of providing support; and
 - c) The vendor does not engage in any sales activity within the area that the education is occurring.
2. Vendors shall not place information in employee mailboxes or UAMS bulletin boards.
3. Except as allowed in Section E.1., vendors shall not display products or product information within any UAMS location, other than displays placed in employee lounges for training purposes that have been approved by the unit manager.

F. Promotional Activities.

1. Cash or other incentive programs are strictly prohibited at any UAMS location.
2. No vendor promotional items (pens, penlights, notepads, etc.) of any kind are permitted within UAMS locations.
3. No food of any kind will be directly supplied by vendors for employees at any UAMS location, or any off-site program.
4. Vendors are not permitted to distribute, post, or leave any type of unsolicited printed or handwritten material, advertisements, signs, or invitations at any UAMS location.
5. Vendor-sponsored raffles, lotteries, or contests that result in gifts to the winner are forbidden.
6. Vendors shall not promote drugs in violation of UAMS drug policies.
7. No preprinted prescription pads from vendors are permitted at any UAMS location.

UAMS Medical Center employees and UAMS physicians, residents, and students are also governed by *UAMS Medical Center Policy SC.3.01*.

IV. Educational Activities:

A. On Campus Educational Activities.

All Industry contributions in support of educational activities must be made in the form of an unrestricted educational grant to UAMS. UAMS shall be the sole authority on the choice of topics, materials, presenters and attendees.

All CME activities must comply with the ACCME Standards for Commercial Support and the COM Office of Continuing Medical Education Policy of Commercial Support of a Continuing Medical Education Activity. A written agreement, consistent with ACCME guidelines, will be required for all Industry supported educational grants and must conform to requirements set out for honoraria, expense reimbursement, content, expenditures for attendees, and disclosure. Other continuing education activities must comply with the applicable accrediting body's standards for commercial support.

B. Compensation for Travel and/or Attendance at Industry Functions.

Industry compensation for travel and lodging is governed by *UAMS Administrative Policy 4.4.09 Ethical Conduct/Gift Policy*.

C. Industry Funding of Scholarships.

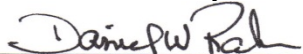
Industry funding for scholarships and training may only be accepted under the following conditions:

- The funds are processed through the University of Arkansas for Medical Sciences Office of Development and Alumni Affairs.
- The funds are not earmarked for use by specific individuals. General designations, however, (e.g., nursing, medicine, the Dean or his/her successor, the Director or his/her successor, or other general designations of a particular area or by a particular position) are permitted.
- Awarding of scholarships and training, including the evaluation and selection of recipients, is at the discretion of the appropriate college, department, or division.

V. Research:

Funding for research conducted by UAMS employees or within UAMS facilities must be approved and accepted by the Office of Research and Sponsored Programs.

Failure to comply with the Industry Interaction policy will result in disciplinary action dictated by *UAMS Administrative Policy 4.4.02*.

Signature:  _____

Date: August 4, 2014