



CONFLICT OF INTEREST: INDUSTRY INTERACTIONS

Updated Dec. 14, 2016

Scope

The Dell Medical School encourages partnerships and collaboration with industry and recognizes that these interactions are essential in promoting the mission of the medical school. These interactions must be ethical and cannot create real or perceived conflicts of interest or commitment (conflicts) that could endanger patient safety, data integrity, the integrity of our education, research and clinical programs, the reputation of either the faculty member or the institution, or negatively influence the cost or quality of care. The Dell Medical School seeks to protect its integrity while not standing as an impediment to innovation.

"Industry" in the context of this policy refers to Pharmaceutical, Biotechnology, Medical Device, Health Technology, Simulation and Hospital and Research Equipment, Supplies and Consulting Industries and Industry representatives.

Conflicts may occur whenever the financial or non-financial interests of a faculty or staff member could be perceived to be at odds with the interests of the University, a patient, a learner, or society at large. Such conflicts are not limited to true opportunities for financial gain and can occur on or off campus, and within and outside the normal work-related activities. Marketing and procurement are common sources of conflicts, but there are many other potential sources.

"Disclosure" refers to the contemporaneous, timely notification of real or perceived potential conflicts of interest at the time of identification or prior to engaging in the activity. It is the singular duty of each regular faculty member and each staff person to make full and accurate disclosures of potential conflicts annually to their Department Chair, using the Activities Disclosure Form. Completing the disclosure form is a condition of re-appointment for regular faculty members and a condition of employment for employees.

This policy serves to inform interactions in all Dell Medical School care, research and educational facilities and settings regardless of the site and applies to Dell Medical School employed faculty members with regular appointments, learners and staff, regardless of the source of their salary support.

Policy

It is the policy of the Dell Medical School that interactions with Industry should be conducted so as to avoid or minimize conflicts of interest. When conflicts of interest arise they must be addressed, appropriately managed, and resolved, as described herein. Disclosure of any relationship with industry is the essential first step in identifying and managing conflicts and will be required annually and curated by the Office of Faculty Affairs.

1. Acceptance of gifts and meals: No gifts of any value should be accepted by faculty members and staff, medical students, residents, clinical fellows, or other learners from industry or their sales



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representatives. Meals may only be accepted if they are integrated into a larger, covered activity, such as a professional or CME meeting. Moving an interaction with industry representatives to an off-campus location in order to avoid these restrictions does not remove the obligation to decline these offers. Gifts containing industry brands and/or logos (e.g., clocks, posters, post-it pads) are marketing tools, and should not be accepted. Patient education materials such as anatomic models or charts that are deemed critical for patient education are permitted, but non-branded versions are preferred. Gifts of \$20 or less per occasion, may be accepted from a single source. However, you may not accept more than \$50 from any one source in any one calendar year. Multiple representatives of the same outside entity constitute the same source. This exception does not apply to gifts of cash or investment interests, which are not permitted. If in doubt, accepting such materials should be disclosed to the appropriate Department Chair and the Office of Faculty Affairs.

2. Industry-funded speaking: Faculty should not accept industry funding for speaking engagements if this appears to be a marketing event. Faculty are permitted to participate in industry sponsored educational activities that meet Accreditation Council for Continuing Medical Education (ACCME) guidelines (<http://www.accme.org/news-publications/publications/general-information-accreditation-and-progress-reports/accreditation-2>) for managing conflicts of interest and for which sponsorship comes in the form of an unrestricted grant. Faculty should not participate in “speaker’s bureaus” in which a retainer is provided, and faculty may not give presentations or accept honorarium, food, lodging or transportation that is directly supported by industry for participation in any marketing activity directed at physicians or other health care professionals, such as restaurant talks that do not meet the ACCME Guidelines. Any question on whether a meeting is acceptable should be directed to the appropriate Department Chair and/or the Office of Faculty Affairs.
3. Attendance at industry-sponsored lectures and meetings: Faculty, students, and trainees should not receive reimbursement or any other compensation for attending promotional or educational events that are supported directly by industry.
4. Industry-supported clinical fellowships: In general, clinical fellows, residents, and medical students may not accept fellowships directly sponsored by industry for which funds are earmarked specifically for clinical training but may compete for fellowships supported by industry for scientific training. Any funds from industry directed toward fellowship training must come directly to the medical school and be unrestricted. The fellowship must be unrestricted. Fellowship must consist of a credible, substantive period of training with clear goals and metrics for completion, rather than, for example, a payment for travel to a conference. All industry—sponsored fellowship applications must be approved by the appropriate Department Chair, who will assure the educational intent and that any risk of conflict is minor and managed.
5. Consulting relationships for research and scientific activities: Faculty are permitted to engage in consulting relationships with industry about research and scientific matters. These relationships must have a written contract detailing the scope of expert services requested, be paid at fair market value and must be disclosed to the appropriate Department Chair and Office of Faculty Affairs.



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Faculty are discouraged from engaging in consulting with companies related to products over which they have prescriptive authority (e.g., devices they may choose to implant in their practice). Under such circumstances, the clinicians must disclose such a relationship to patients who are being treated with this product. Faculty are also strongly discouraged from having paid relationships with companies in which an institutional engagement exists or may ensue, such as for services delivery or for research. Such relationships must be reported and the conflict carefully managed in the procurement/negotiation process and afterwards. Faculty with such relationships may be asked to exclude themselves from activities related to an ongoing

6. Consulting relationships for marketing (excluding scientific research and speaking): Academic medical faculty and trainees are prohibited from engaging in consulting relationships that are solely or primarily for commercial marketing purposes. This includes claiming authorship for ghost-written publications.
7. Industry sales representatives: Industry sales representatives are not allowed access to learners. Representatives may meet with Dell Medical School faculty with appointments only and should never be permitted in patient care or medical education areas without permission from the Dean's office and/or the Vice President for Legal Affairs. An exception can occur if there is a regulatory mandate for training by a specified company, and must be pre-approved, reported and monitored by a faculty sponsor. Faculty members may invite pharmaceutical scientists for specific educational or scientific discussions that do not involve marketing of a specific product. Sales representatives with appointments must wear an identification badge that clearly identifies them as vendors.
8. Pharmaceutical samples: Faculty and staff should not accept samples unless it is determined that there are compelling patient care circumstances to do so. In these cases, compliance with regulations for logging and reporting will be enacted to prevent their use as marketing tools. Disclosure of these activities is required.
9. Medical device or other health technology industry sales representatives: Subject to exceptions granted by the Dean's Office and the Vice President for Legal Affairs, the access of medical device or other health technology sales representatives to patient care areas should be limited to in-service training and technical assistance on devices and other equipment already purchased and then only by appointment and with disclosure to and consent from the patients who would be involved. Presence of sales representatives in non-patient care areas should be arranged by appointment only.

Adapted from best practice recommendations established by the Association of American Medical Colleges in 2008 and the 2009 Institute of Medicine report "Conflict of Interest in Medical Research, Education and Practice"