



FRANCISCAN MISSIONARIES OF OUR LADY
HEALTH SYSTEM

RESPONSIBLE DEPARTMENT: SFMC GME		SUBJECT: Vendor Interactions
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PURPOSE:

This policy covers all residents and fellows participating in ACGME-accredited postgraduate medical education programs sponsored by the St. Francis Medical Center. References in this policy to “residents” also apply to “fellows” unless specifically stated otherwise.

POLICY:

The purpose of the policy is to ensure that graduate medical education activities at St. Francis Medical Center and affiliated training are not compromised through vendor influence, either collectively or through interactions with individual residents and fellows. This policy addresses resident/fellow behavior and relationships with vendors in educational contexts, which may include clinical training sites. The goal of this policy is to further the professional accountability in trainees to their patients and colleagues. St. Francis Medical Center and the primary clinical training sites, including the St. Francis Physician Group clinics, support policies governing vendor practices and conflicts of interest, and all residents and fellows are expected to observe local policies.

While partnerships between industry and physicians may further mutual interests to improve clinical management of diseases, improve patient care and support educational opportunities for resident education through grants, some relationships with vendors create potential conflicts of interest for health care providers. A conflict of interest occurs when reasonable observers could conclude that professional requirements of a physician's roles are, or will be, compromised due to the influence by a vendor through gifts or services unrelated to the benefit of patients. At times, the appearance of influence, even when not connected to a specific benefit to the physician, can create an atmosphere of doubt about the physician's motivations.

The following descriptions of allowable and prohibited practices are not intended to be exhaustive, and any other interactions between residents and fellows and vendor representatives that have the appearance of compromising impartiality in clinical or academic practices are likewise discouraged. Because residents train in many different venues within and outside St. Francis Medical Center, it is possible that they will encounter conflicting policy statements on various aspects of vendor interactions and conflict of interest. Where a conflict exists between this policy and that of another organization, it is the policy of St. Francis Medical Center GME department that the stricter policy will apply to a given situation within that organization.

Pharmaceutical Samples

The acceptance by a resident or fellow of free pharmaceutical samples for delivery to patients is not allowed except when approved explicitly by the medical director and Pharmacy and Therapeutics committee or equivalent at a clinical site and when reviewed with a supervising faculty physician. One example of an acceptable use would be in an SFMC clinical trial. Acceptance of pharmaceutical samples for self-use is strictly prohibited for all residents and fellows.

Vendor Gifts

"Gifts" refers to items of value given without explicit expectation of something in return. Gifts may also include outside meals at restaurants, promotional items, services such as transportation, invitations to participate in social events, promotional items, business courtesies, meals and beverages, and "ghost-writing" of scholarly works on behalf of the resident or fellow. SFMC residents and fellows may not accept gifts or services valued at more than \$50.00 at any single occurrence, for themselves or on behalf of SFMC,

individually or as a group, from any vendor or manufacturer of a health care product or from the representative of any such vendor or manufacturer. This includes food supplied at educational conferences as well as meals provided off-site. The GME department will keep a log of individual gifts, with a defined aggregate limit of \$400 per individual, per year.

Vendor Sponsorship of Educational Activities

Vendor sponsorship of GME educational activities shall take place under unrestricted grants and gifts only. An unrestricted grant or gift is one that is given to an SFMC department or program in which the donor(s) have specifically identified their intent to support certain activities (such as education for residents). In instances where the grant is for GME educational use, the donor may not specify content, topic, or speaker. However, the grant may specify whether or not the purchase of food for a conference is allowed. Industry sponsorship for educational activities is permitted if and only if *all* of the following conditions are met:

1. The donation is limited to direct support of the educational activity (e.g. a/v, honoraria, printing costs, space rental, etc.)
2. The donation is made to divisions or departments for general educational purposes.
3. No individual is designated by the vendor as the recipient of funds for travel, meeting registration, or housing.
4. No industry representative may participate in or market at on- or off-site educational events.
5. Sponsorship is in compliance with ACGME standards.
6. No food or other refreshments, gifts, free samples, books, or promotional materials with the manufacturer, drug, or device name imprinted are available at educational events.
7. Vendors may be acknowledged in a sign at the event, website acknowledgement, or in the written program.

Vendor Training

Vendors may orient, train, and advise residents and fellows on the proper use or calibration of a product that has already been acquired by the institution. In such cases, the vendor is present as a consultant and must solely advise on the specific device and should not be allowed to market other products. Supervising faculty physicians must ensure that vendor involvement in any clinical activities is disclosed to patients/surrogates verbally and in writing and patients/surrogates must assent. Vendors must be identified as such so that they are not mistaken for clinicians.

Vendors should sponsor resident and fellow training on equipment already in use at SFMC or affiliated sites. Training by vendors on equipment should always be done on-site when possible. In situations where the training is to take place at a site distant to SFMC, the vendor may not contribute to a specific resident's travel, housing, or per diem expenses incurred as

part of this training, but may contribute to an unrestricted grant that could be used by the program to reimburse residents for travel costs and per diem according to SFMC travel policy. Vendor contribution to individuals is limited to waiver of any tuition or fees, and instruction manuals specifically related to the operation of the equipment. Any travel requests for the purpose of a vendor-sponsored event must be approved by both the Program Director and the organization's Dir., Compliance and Privacy Officer prior to participation.

Participation in Industry-Sponsored Programs

Residents and fellows may not participate as paid presenters or speakers in industry-sponsored programs such as lectures and panels without express written permission of the program director. Residents and fellows participating in such activity must report for duty hour purposes the actual time spent in the activity and must also disclose to the program director the amount of any compensation offered, including non-monetary items.

Industry-Sponsored Scholarships

Vendor-provided funds for resident and fellow scholarships must be directed to a central fund within the academic department of the residency and should not designate an individual resident or fellow as recipient. Corporate contributions to underwrite resident and fellow positions are likewise prohibited unless directed to a central fund and not designated for the use of any individual resident or fellow.

Purchase Decisions

While residents and fellows do not typically participate in institution-level purchase decisions, more senior trainees may be appointed to committees with responsibility for supply or equipment choices. For residents and fellows involved with vendor decisions, the following conditions apply:

1. Residents and fellows who sit on purchasing committees must disclose to the committee chair the following in writing prior to influencing purchasing/joining the committee AND each year while making/influencing purchasing decisions on behalf of any unit of SFMC. Disclosures should be made to the chair of the standing or *ad hoc* committee charged with purchasing, and the chair of the person's department/supervisor:
 - a. The names of vendors with whom the resident or fellow has at any time accepted gifts or funding including: Research funding, speaker fees, visiting professorships, advisory board compensations, travel funds, etc. AND
 - b. The amount of compensation received per year for each discrete financial relationship with each vendor.
2. When a resident or fellow member of the committee or individual purchaser has had financial ties with a manufacturer within the past two years whose products are being considered for purchase or lease, that person must:
 - a. Recues him/herself from the committee's discussion of that vendor's product and competing products being considered, which means at minimum to leave the room during deliberations.

- b. The resident or fellow should not vote on the product in question or its competitors NOR attempt to persuade or dissuade fellow members of the committee from voting for the product.
- c. In instances where there is no standing committee, such as when an individual is charged with making a decision, that individual should convene an *ad hoc* committee which will be governed by this policy.

Program Monitoring of Resident-Vendor Representative Interactions

Program leadership should be aware of and discuss with residents any interaction with representatives from vendors to ensure that any contacts are within the scope and spirit of this policy. Interactions that appear to place the resident in a position of obligation to or influence by, the vendor, should be explicitly discouraged.

Programs should provide training to residents and fellows on vendor relations and conflicts of interest, including reference to this policy and other relevant institutional policies. Program directors are encouraged to include assessment of vendor interactions as part of the semi-annual review process and require documentation of vendor interactions in resident/fellow portfolios. Programs should correct actions as needed to ensure that the policies described here are observed.

Program directors must communicate this policy to their trainees as part of the program orientation and reinforce it through inclusion in program handbooks and other information sites for resident reference.

ACGME STANDARD: IV.K.

STATUTORY/REGULATORY AUTHORITY: GMEC