

**Policy Title:** Relationships with Vendors



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**PURPOSE**

Appropriate ethical behavior requires adherence to well-defined policies to guide interactions of UT Southwestern faculty, trainees, and staff with those who provide goods and services necessary for us to carry out our professional duties. Furthermore, it is important for our relationships with our patients, students, and the public that we be free of conflicts of interest *or perceptions* of such conflicts. These policies are intended to instruct interactions of all members of the UT Southwestern community with employees of companies that promote and sell biomedical, scientific, or pharmaceutical products or services.

**PROCEDURE**

**Personal Gifts:**

Personal gifts of significant value (more than \$50/year) must not be accepted from those who are promoting products for sale.

While the practice of free distribution of token promotional gratuities from suppliers to individuals is widespread and has been accepted for years, there is no good reason for a professional to participate in a company's promotional activities. Such activities may not influence behavior, but they create a perception of a biased relationship. We strongly discourage such practices.

Gifts include items of any sort and include meals, services, and entertainment that are not provided as part of appropriately sanctioned educational activities (*e.g.*, scientific or educational meetings; see below).

Unsolicited gifts received by mail or courier should be donated to an appropriate agency, institution, or needy (unrelated) individual.

Individuals must consciously and actively divorce clinical care decisions from any perceived or actual benefits expected from any company.

Individuals who are involved in institutional decisions concerning the purchase or approval of medications or equipment or the negotiation of other contractual relationships with industry must not have any financial interest (*e.g.*, equity ownership, compensated positions on advisory boards, paid consultancy, *etc.*) in companies that might benefit from the institutional decision. This provision is not intended to preclude the indirect ownership, through mutual funds or other investment vehicles, of equities in publicly traded companies.

Free medication samples may be accepted only for distribution to patients and should not be used by physicians or their staff for themselves or their family members.

**Conferences/Meetings:**

Only speakers, panel members, or moderators may accept compensation for attending a meeting, for any associated costs, or for subsidies to compensate for their time. "Audience" participants cannot accept payment or other incentives for attendance.

Individuals may accept modest meals or attend social events that are held as part of a conference or meeting.

Consultants who provide genuine services may receive reasonable compensation and accept reimbursement for reasonable travel, lodging, and meal expenses. A token consulting arrangement should not be used as an excuse to accept what amounts to a gift if the consulting agreement is not genuine.

If companies support travel to evaluate equipment for prospective acquisition by UT Southwestern, the request for such support (economy class) should be part of the RFP and all companies should be treated equally.

**Site Access:**

Vendors may make an appointment to meet with faculty or staff in private offices or laboratories on a per-visit basis or as a standing appointment.

Vendors may not promote products in public areas, inpatient or outpatient care units, clinics, etc.

Vendors are specifically prohibited from directly contacting students, residents, and postdoctoral fellows for the purpose of promoting professional products or for distributing materials of any type. This policy specifically prohibits the provision of free beverages or meals, tickets to entertainment and sporting events, or other types of social functions.

Vendors who desire to provide educational material to members of the aforementioned groups must contact the appropriate training director. The training director will review all material for the accuracy and appropriateness of the educational content and will then make decisions about the proper forum for making the information available to the trainees.

Vendors are prohibited from entering patient care areas within the medical center for promotional purposes. This policy does not preclude vendors from working with faculty or designated staff in patient care areas for the purpose of evaluating or testing new technologies or services, setting up new equipment or devices already purchased, or similar activities associated with a contractually agreed to business purpose. Such services must be provided by appointment.

Scientific laboratories should establish a check-in procedure for all vendors. It is suggested that vendors wishing to visit laboratories sign in at the appropriate departmental office and that office staff remind them to comply with institutional policies re conflict of interest.

Appointments to obtain information about new medications in the formulary will normally be issued by the appropriate hospital pharmacy or by hospitals' Pharmaceutical and Therapeutics Committees.

**All personnel of the company who employs a vendor who violates any of the aforementioned policies may be restricted from access to the UT Southwestern campus for a period of six months.**

**Provision of Scholarships and Other Educational Funds to Students and Trainees:**

Industry support of students and trainees through funding mechanisms such as scholarships, reimbursement of travel expenses, or other non-research funding in support of scholarship or training should be free of any actual or perceived conflict of interest, must be specifically for the purpose of education, and must comply with all of the following provisions:

- the department, center, program, or division selects the student or trainee.
- the funds are provided to the department, center, program, or division and not directly to student or trainee.
- the department, center, program, or division has determined that the funded conference or program has educational merit.
- the recipient is not subject to any implicit or explicit expectation of providing something in return for the support, *i.e.*, a "quid pro quo."

This provision does not apply to national or regional merit-based awards, which should be considered on a case-by-case basis.

**Industry Support for Educational and Professional Programs on the Campus:**

All educational events sponsored by industry on the campus must be fully compliant with ACCME guidelines, regardless of whether formal CME credit is awarded and approved by the Office of Continuing Medical Education. Educational events sponsored by industry on the campus should comply with the following provisions:

- Gifts of any type are not distributed to attendees or participants before, during, or after the meeting or lecture.
- Funds to pay for the specific educational activity are provided to the department, center, program, or division and not to an individual faculty member.

Meals or other types of food directly funded by vendors are prohibited. Vendors may, however, provide an unrestricted gift to a department or center for food that is served during educational or scientific conferences and this can be acknowledged. However, there should be no presentations, dissemination of vendor materials, or solicitation by the sponsor or representative of the sponsor during, or in conjunction with, the aforementioned forums.

**Guidelines for Delivering Industry-Sponsored Lectures or Participating in Legitimate Conferences and Meetings off the UT Southwestern Campus:**

Faculty should only participate in meetings sponsored directly by industry or by intermediate educational companies subsidized by industry if the activity meets all ACCME guidelines.

Faculty should not facilitate the participation of trainees in industry sponsored events that fail to comply with these standards.

**Disclosure of Relationships with Industry:**

Faculty must provide specific written information on financial interests related to their work on an annual basis to the University's Conflict of Interest Office (Statement of Financial Interests), and outside employment must be approved using the Request for Prior Approval of Outside Employment form, which goes first to the Department Chairman (<http://www.utsouthwestern.edu/coi> ).

Individuals must disclose their actual and potential conflicts of interest related to any institutional deliberations and generally may not participate in deliberations in which he or she has an actual or potential conflict of interest.

Faculty with supervisory responsibilities for students, residents, trainees or staff should ensure that the faculty's conflict or potential conflict of interest does not affect or appear to affect his or her supervision of the student, resident, trainee, or staff member. Individuals must disclose all of their related financial interests, including past, existing or expected interests (e.g., grants and sponsored research, compensation from consulting, speaker's bureaus, advisory boards; investments and ownership interests) to journal editors in manuscripts submitted for publication and audiences at lectures or presentations in accordance with the International Committee of Medical Journal Editors (<http://www.icmje.org/> ), and in patient consent forms.

Individuals should not be coauthors of manuscripts with colleagues from industry (or anywhere else) unless they believe the content to be scientifically valid and evidence-based. They should also, of course, meet the authorship guidelines that most journals have established.

Individuals should avoid positions with private firms that entail decision-making on financial expenditures.

For disclosure requirements related to educational activities, see the ACCME Standards for Commercial Support (<http://www.accme.org> )

For disclosure requirements related to research activities, see Policy and Procedures on Conflicts Of Interest in Research (<http://www.utsouthwestern.edu/utsw/cda/dept41605/files/43763.html>)