

HEALTH CARE VENDOR INTERACTIONS POLICY

Policy

Health care vendors provide UNMC with information, products, services, and funding to further UNMC's mission. Health care vendors' promotional practices may influence health care providers' treatment choices and the future practice of health care trainees. UNMC faculty, staff, students and trainees ("UNMC Personnel") shall abide by this policy to minimize potential conflicts of interest that may result from interactions with health care vendors that could compromise patient safety, academic and research integrity, and the reputation of UNMC. This policy is intended to be consistent within Nebraska Medicine policies, including MS40, Pharmaceutical, Biotechnology, Nutritional Company, Pharmacy and Healthcare Service Vendors.

Scope

This policy applies to interactions between UNMC Personnel and health care vendors, both on-campus and off-campus, and includes interactions in support of clinical care, education, training and research.

A health care vendor means an agent or other representative of a pharmaceutical, nutritional, biotechnology or other health care product or services provider, manufacturer or company. A representative includes, but is not limited to, (i) a person in sales, marketing, education, research or management or (ii) a scientific liaison professional.

Procedures

Vendor Access to UNMC Personnel On Campus

On Campus Visits

Health care vendors are not permitted to visit UNMC Personnel on campus without proper identification and prior approval from a faculty member or non-faculty manager. Health care vendors visiting Clinical Enterprise departments shall register in Reprax and follow MS40. Health care vendors attending UNMC vendor fairs are required to register with the UNMC Procurement Department.

Trainees

Health care vendors shall not contact UNMC Personnel who are residents, students or trainees, except where such contact is incidental to (i) invited attendance at either (a) departmental educational events or (b) in-service training scheduled by UNMC faculty or managers, (ii) attendance at UNMC-sponsored vendor fairs, or (iii) attendance related to clinical care if and only if the health care vendor is part of the health care team related to that clinical care (e.g. implant vendors).

Vendor Gifts and Donations

Food

UNMC Personnel and students are prohibited from accepting food or monetary donations to purchase food from health care vendors at

activities held on-campus, including but not limited to meetings, grand rounds, educational events and vendor exhibits.

Vendor Marketing Items

UNMC Personnel shall not accept either (i) gifts (e.g., gift baskets or event tickets) or (ii) marketing or other promotional materials (e.g., pens or paper pads) of any description from health care vendors. UNMC Personnel shall not permit health care vendors to leave any marketing items in any UNMC facility and shall promptly remove any such items.

Unrestricted Educational Grants

Unrestricted educational grants may be used to support UNMC-sponsored accredited continuing education. Such support for UNMC accredited continuing education must be initiated through the appropriate UNMC accredited provider who will then submit the application for support. Once a grant is approved by a vendor, the letter of agreement must be signed or electronically accepted by Business & Finance authorized personnel. Any health care vendor funding for UNMC accredited continuing education programs shall be transferred directly to the UNMC accredited provider which then has the responsibility for disbursement and reconciliation of the funds. All vendor support for accredited continuing activities shall be recognized in materials distributed to participants.

Paid Attendance at Conferences

UNMC Personnel may not accept payment or reimbursement of expenses or other funding from health care vendors in compensation for attending vendor-specified conferences or meetings if such attendance is solely in a passive capacity (e.g., not engaging in permitted presentations or otherwise providing conference services). UNMC Personnel are reminded that the Federal Anti-Kickback statute prohibits acceptance of in-cash or in-kind remuneration from a health care vendor that may intend to induce the purchase or prescribing of the vendor's products

Equipment Loans and Donations for Education Training and Research

Departments may not accept equipment and other training materials for educational and research purposes, whether donated or loaned, from health care vendors, unless such acceptance is in compliance with this paragraph and consistent with this policy. Any such donations or loans shall be made to the department and not to individual UNMC Personnel. Receipt or acceptance of the same shall only be upon execution of appropriate agreement which shall include any agreements for any certified/accredited continuing education provider. Agreements shall be signed by the appropriate signatory in accordance with Executive Memoranda 14 (<https://nebraska.edu/-/media/unca/docs/offices-and-policies/policies/executive-memorandum/delegation-of-administrative-authority-to-approve-certain-types-of-university-contracts.pdf>).

Drug and Nutritional Samples

UNMC Personnel shall follow the Nebraska Medicine Drug and Nutritional Samples Policy (MS02).

UNMC/Nebraska Medicine Sponsorship of Community Activities

UNMC/Nebraska Medicine may sponsor community fundraising events and offer free tickets to the community event to their employees (e.g. luncheons, dinners, galas). These community events may be hosted by organizations that provide services to UNMC/Nebraska Medicine. UNMC Personnel may accept tickets for and attend such events.

Performing Services for Health Care Vendors

UNMC Employment

UNMC personnel may perform services for health care vendors as a part of their UNMC employment if the services are within the scope of the UNMC mission to lead the world in transforming lives to create a healthy future for all individuals and communities through premier educational programs, innovative research and extraordinary patient care. UNMC Personnel may consult with the Vice Chancellor for Research, Vice Chancellor for Business and Finance, or the Conflict of Interest Officer for assistance in determining if an activity is within UNMC's mission. UNMC Chancellor approval is required for any activity that may appear to be a UNMC endorsement of a commercial product or service under Board of Regents policy 3.3.9, Endorsements of Commercial Goods and Services by the University and University Staff (<https://nebraska.edu/-/media/unca/docs/offices-and-policies/policies/board-governing-documents/board-of-regents-policies.pdf>).

Outside Professional Activity

UNMC Personnel may perform services for health care vendors as outside professional activity, as permitted by UNMC Policy No. 1049, Outside Employment (https://wiki.unmc.edu/index.php/Outside_Employment/). However, effective July 1, 2015, UNMC Personnel are prohibited from entering into or renewing agreements for direct marketing activities on behalf of health care vendors (including speaker's bureaus), except as provided in this paragraph. UNMC Personnel may market products licensed by UNMC, UNeMED or another University of Nebraska technology transfer entity after full disclosure of financial interest in accordance with UNMC Policy No. 8010, Conflict of Interest (https://wiki.unmc.edu/index.php/Conflict_of_Interest/). UNMC Personnel also may provide unbranded disease awareness presentations sponsored by health care vendors with disclosure to and approval by Department chairs.

- Speaker's Bureau: UNMC personnel are prohibited from participating in speaker's bureaus. Personnel shall not present content developed by a vendor for a vendor. Personnel are permitted to present original content as it pertains to unbranded disease awareness, but not content developed by a vendor for a vendor.
- Unbranded Disease Awareness: UNMC Personnel are permitted to provide unbranded disease awareness that has been developed by the individual for the purposes of educating on a specific disease, but contains no reference to specific vendors or marketing objectives.

Disclosing Outside Financial Interests

UNMC Personnel must disclose outside financial or intellectual property interests (includes immediate family members) that relate to University responsibility and/or board membership with health care vendors on the Annual Disclosure of Financial Interest form, as required by UNMC Policy No. 8010, Conflict of Interest (https://wiki.unmc.edu/index.php/Conflict_of_Interest/). UNMC Personnel shall disclose all related outside financial interests with health care vendors in publications, presentations and to students during teaching activities (e.g., vendor-paid authorship of course materials). UNMC Personnel who have a direct role in selecting health care vendor products or services for UNMC or its affiliated hospitals and clinics must disclose any potential conflict of interest to the purchasing unit or decision making committee and not participate in any related committee votes.

Ghostwriting

UNMC Personnel are prohibited from publishing under their own name articles that are written in whole or in part by health care vendor representatives, unless their contribution is in compliance with

International Committee of Medical Journal Editors (ICMJE) Guidelines for authorship.

Additional Information

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- Contact the Chief Compliance Officer (sarah.glodencarlson@unmc.edu)
 - UNMC Policy No. 8010, Conflict of Interest (https://wiki.unmc.edu/index.php/Conflict_of_Interest/)
 - UNMC Policy No. 1049, Outside Employment (https://wiki.unmc.edu/index.php/Outside_Employment/)
 - University of Nebraska Executive Memoranda 14 (<https://nebraska.edu/-/media/unca/docs/offices-and-policies/policies/executive-memorandum/delegation-of-administrative-authority-to-approve-certain-types-of-university-contracts.pdf>)
 - University of Nebraska Board of Regents Policies (<https://nebraska.edu/-/media/unca/docs/offices-and-policies/policies/board-governing-documents/board-of-regents-policies.pdf?la=en>)
 - University of Nebraska Regents Policy 3.3.9, Endorsement of Commercial Goods and Services by the University and University Staff (<https://nebraska.edu/-/media/unca/docs/offices-and-policies/policies/board-governing-documents/board-of-regents-policies.pdf>)

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