

INSTITUTIONAL GME POLICY – Vendor Interactions
Approved by GMEC – May 11, 2012, reviewed 9/28/2018

Physicians in training often interact with industry representatives who are marketing their products-sometimes using promotional gifts to do so. UH JABSOM GME Programs acknowledge that ongoing interaction and strong communication between physicians and industry is vital for good patient care, and that these interactions must always be ethically based. The appropriateness of such interaction and gifts must be monitored and evaluated by those individuals within the organization who supervise resident training. Therefore, UH JABSOM GME Programs endorse the American Medical Association's "Guidelines on Gifts to physicians from industry (1998)":

- (1) Any gifts accepted by physicians individually should primarily entail a benefit to patients and should not be of substantial value. Accordingly, textbooks, modest meals, and other gifts are appropriate if they serve a genuine educational function. Cash payments should not be accepted. The use of drug samples for personal or family use is permissible as long as these practices do not interfere with patient access to drug samples. It would not be acceptable for non-retired physicians to request free pharmaceuticals for personal use or use by family members.
- (2) Individual gifts of minimal value are permissible as long as the gifts are related to the physician's work (e.g., pens and notepads).
- (3) The Council on Ethical and Judicial Affairs defines a legitimate “conference” or “meeting” as any activity, held at an appropriate location, where (a) the gathering is primarily dedicated, in both time and effort, to promoting objective scientific and educational activities and discourse (one or more educational presentation(s) should be the highlight of the gathering), and (b) the main incentive for bringing attendees together is to further their knowledge on the topic(s) being presented. An appropriate disclosure of financial support or conflict of interest should be made.
- (4) Subsidies to underwrite the costs of continuing medical education conferences or professional meetings can contribute to the improvement of patient care and therefore are permissible. Since the giving of a subsidy directly to a physician by a company's representative may create a relationship that could influence the use of the company's products, any subsidy should be accepted by the conference's sponsor who in turn can use the money to reduce the conference's registration fee. Payments to defray the costs of a conference should not be accepted directly from the company by the physicians attending the conference.
- (5) Subsidies from industry should not be accepted directly or indirectly to pay for the costs of travel, lodging, or other personal expenses of physicians attending conferences or meetings, nor should subsidies be accepted to compensate for the physicians' time. Subsidies for hospitality should not be accepted outside of modest meals or social events held as a part of a conference or meeting. It is appropriate for faculty at conferences or meetings to accept reasonable honoraria and to accept reimbursement for reasonable travel, lodging, and meal expenses. It is also appropriate for consultants who provide genuine services to receive reasonable compensation and to accept reimbursement for reasonable travel, lodging, and meal expenses. Token consulting or advisory arrangements cannot be used to justify the

- compensation of physicians for their time or their travel, lodging, and other out-of-pocket expenses.
- (6) Scholarship or other special funds to permit medical students, residents, and fellows to attend carefully selected educational conferences may be permissible as long as the selection of students, residents, or fellows who will receive the funds is made by the academic or training institution. Carefully selected educational conferences are generally defined as the major educational, scientific or policy-making meetings of national, regional or specialty medical associations.
 - (7) No gifts should be accepted if there are strings attached. For example, physicians should not accept gifts if they are given in relation to the physician's prescribing practices. In addition, when companies underwrite medical conferences or lectures other than their own, responsibility for and control over the selection of content, faculty, educational methods, and materials should belong to the organizers of the conferences or lectures.

The value and appropriateness of resident interaction with industry varies among the specialty training programs. Individual training programs may establish additional policies regarding resident interaction with industry, based on the guidelines stated above.

Physician Payment Sunshine Act: Section 6002 of the Patient Protection and Affordable Care Act requires CMS to collect and display information reported by applicable manufacturers (i.e., drug and device companies) and group purchasing organizations (GPOs) about the payments and other transfers of value these organizations have made to physicians and teaching hospitals. The purpose is to increase transparency and public awareness of the financial relationships that exist between industry and physicians and hospitals. Residents and fellows are NOT considered reportable while in training. However, the information below is presented to increase awareness of this law.

Applicable manufacturers and GPOs must report the following three categories of payments:

- a. General Payments: not in connection with a research agreement or protocol. Can include honoraria, gifts, meals, consulting or speaker bureau fees, travel compensation, space rental or indirect payments to a continuing education organization.
- b. Research Payments: Those made in connection with a formal research agreement or protocol.
- c. Physician Ownership Information: Physician or immediate family ownership or investment interests in the reporting entity.