

**SUNY DOWNSTATE MEDICAL CENTER
GME POLICIES AND PROCEDURES**



**SUNY
DOWNSTATE**
Health Sciences University

Office of Graduate Medical Education

University Hospital of Brooklyn
College of Medicine
School of Graduate Studies
College of Nursing
School of Health Related Professions
School of Public Health

SUBJECT: GME Policy on Vendor/Industry Relationships and Interactions

Originating Department: Institutional Policy
Date Approved by GMEC: 12/18/2019
Original Date: 4/16/2010
Revisions: 9/16/2015, 12/18/2019

In accordance with section IV.K of the ACGME Institutional Program Requirements, the Sponsoring Institution must have a policy that addresses interactions between vendor representatives/corporations and residents/fellows and each of its ACGME-accredited programs.

Purpose:

SUNY Downstate Health Sciences University (“**SUNY Downstate**”) endeavors to train students, residents and fellows in graduate medical education programs (each a “**GME Program**” or “**Program**”) in the highest standards of professional ethics, including professional standards of intellectual and clinical objectivity. This Policy reinforces and upholds those efforts and objectives. It is the goal of this Policy and the included guidelines, to establish and maintain practices which will minimize conflicts of interest or appearances of conflicts and enforce the integrity of clinical decision making, research and education.

To promote these ends and to minimize the effects of commercial bias on clinical and academic practices, this Policy addresses and restricts interactions between students, residents and Industry participants, specifically between students, residents and vendors involved in the healthcare and/or biomedical industries (examples including equipment and service providers as well as pharmaceutical and device providers). The Policy seeks to remove students and residents from inappropriate Industry/vendor interactions that may involve solicitation, marketing, promotion or which may result in a relationship undermining professional integrity.

This policy is intended to be consonant with:

- The AAMC Task Force Recommendations on Industry Funding of Medical Education
- The ACGME Principles to Guide the Relationship between Graduate Medical Education, Industry and Other Funding Sources for Programs and Sponsoring Institutions Accredited by the ACGME
- The Accreditation Council for Continuing Medical Education (ACCME): Standards for Commercial Support
- The AMA Medical Ethics Opinion 9.6.3: Gifts to Physicians from Industry
- The Pharmaceutical Research and Manufacturers of America (PhRMA) Code of Interactions with Healthcare Professionals
- The American College of Physicians Position Papers and Guidelines on Physician-Industry Relations

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- The New York City Health and Hospitals Corporation Policy on Industry Vendors Interactions

Definitions:

Industry: vendors and organizations involved in the business of healthcare, including pharmaceutical companies, manufacturers of medical devices and biotechnology companies.

Participating Organization/Site: an organization providing educational experiences or educational assignments/rotations for residents/fellows.

Resident or House Staff or House Officer: refers to all physicians enrolled in an ACGME-accredited program of graduate medical education, including fellows.

Trainee: residents, fellows and other learners participating in programs sponsored by, or in participation with, SUNY Downstate.

Policy:

This Policy applies to relationships and interactions between Industry and Trainees participating in a SUNY Downstate GME Program or educational experience. To the extent that certain interactions with Industry are limited or prohibited, they are prohibited at all Participating Sites/training sites. Industry must not invite Trainees to participate off-site, in practices prohibited or restricted on-site, or otherwise restricted by this Policy.

I. Interactions Restricted. Industry representatives are prohibited from interacting directly with Trainees at any time on the grounds of SUNY Downstate or at any Participating Site. SUNY Downstate may not be used in any manner as a vehicle for contacting Trainees, including for the purpose of setting up meetings or interactions to promote, market, advertise on behalf of Industry or as a means of gaining access to Program leadership or Institution administration. Industry representatives may interact with Trainees only under supervision of faculty members and then only for educational purposes. Access to facilities by Industry representatives for educational purposes is restricted to non-patient care areas and non-public areas. Interactions shall take place only by appointment and invitation of the supervising faculty member. All visiting industry representatives to the Downstate campus must comply with SUNY Downstate policies applicable to vendors and industry representatives.

II. No Use of Program or Program Curriculum by Industry. No element of any Program or of a Program curriculum will be used as a forum or means for distribution of gifts or other promotional or marketing or educational items, or for encounters with Industry representatives. This is not intended to preclude participation in meetings, Continuing Medical Education (CME) conferences or similar educational activities that may be funded with unrestricted educational grants from Industry through Departments or through centralized institution funding mechanisms.

III. No Gifts.

- a. The acceptance of any gifts from Industry by a Trainee in any Program is prohibited.
- b. A "gift" includes an item or service for free or for less than fair market value. Gifts include, without limitation: cash and cash equivalents, food, tickets to sporting events or other entertainment, discounts, travel, lodging and other items, products, services or subsidies. See also, "food" and "professional travel", below.
- c. The acceptance of even small gifts can affect clinical judgment and heighten the appearance and reality of a conflict of interest.
- d. The dictates of professionalism require a physician, including a Trainee, decline any

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Industry gift that might even be perceived to bias judgment, regardless of whether a bias actually materializes. As such, Trainees are not to accept any gifts, whatever their value or utility, as they have the ability to cloud professional judgment and compromise patient care.

- e. Trainees may not accept gifts or any gratuity or compensation for listening to or attending a sales talk, prescribing particular treatments or attending CME or non-CME activities. See "Food" below for provisions addressing meals at certain approved, accredited CME programs.
- f. In order to avoid appearances that decisions may be influenced by commercial interests, or benefits expected or received from any Vendor or organization, all offices and clinical areas should remain free of any materials that advertise or promote a particular product.
- g. Gifts of a low value, as determined by Program or facility administration in compliance with Institution policies, of an educational or patient-care purpose are acceptable, but must be distributed by a central administering unit and may not be presented to and accepted directly by Trainees.

IV. Pharmaceutical Samples.

- a. The provision of pharmaceutical samples to Trainees or by Trainees is prohibited.
- b. As set forth in SUNY Downstate policy, the use and distribution by drug company representatives of drug samples as well as dispensing and administration by the professional staff of drug samples and complimentary packages of medications, is not permitted.
- c. All medications, including samples, must be centrally managed by the Pharmacy Department of SUNY Downstate or centrally managed by the Participation Site, as applicable.

V. Industry Support of CME.

- a. SUNY Downstate complies with the standards of the Accreditation Council of Continuing Medical Education regarding disclosure requirements, conflicts of interest, support by Industry, and auditing mechanisms for assuring compliance.
- b. All requests for Industry support of CME and receipt of funds for CME activity shall be coordinated and overseen by the SUNY Downstate CME Office.

VI. Participation in Industry-Sponsored Programs

- a. Trainee participation in Industry-sponsored speakers' bureaus is strongly discouraged. Any such participation must be approved in all instances by the Program Director.
- b. Trainees are prohibited from attending non-ACCME accredited Industry events advertised as CME; accepting payment for attendance at Industry-sponsored meetings and from accepting gifts from Industry at Industry-sponsored meetings.

VII. Industry-Sponsored Scholarships and Other Educational Funds for Trainees

- a. All scholarships and other educational funds from Industry must be given centrally to an administering unit (e.g. Department, CME or GME Office) of SUNY Downstate. No funds from industry may be used to support a Program or Trainees without review and approval by SUNY Downstate.
- b. Educational merit and financial support of any activities must be specifically approved by the Dean, Program Director or designee.
- c. No quid pro quo can be involved in such support in any way.
- d. The evaluation and selection of recipients of such funds must be the sole responsibility of the administering unit of SUNY Downstate or of a nonprofit granting entity. The

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donor/Industry sponsor shall have no involvement in selection, administration or direction of funds.

VIII. Food

- a. Industry supplied food and meals are considered personal gifts and may not be provided or accepted by Trainees. Food provided in connection with an ACCME-accredited program and in compliance with ACCME guidelines is an exception.
- b. This same standard of behavior applies at off-site participating locations/Participating Sites.

IX. Professional Travel.

- a. Trainees are prohibited from directly accepting travel funds from Industry, other than for legitimate reimbursement of services provided in accordance with an approved, written contract.

X. Ghostwriting.

- a. Trainees are prohibited from allowing their professional presentations of any kind, oral or written, to be ghostwritten by any party, Industry or otherwise.
- b. Trainees are prohibited from publishing articles under their own names that are written in whole or material part by Industry employees, consultants or representatives.

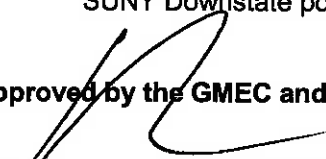
XI. Purchasing and Conflicts.

- a. Pursuant to SUNY Downstate policy, personnel, including Trainees, with any financial interest in any particular manufacturer of pharmaceuticals, devices or equipment, or any provider of must fully disclose such interests according to SUNY Downstate policies and recuse themselves from involvement in purchasing decisions relevant to the conflicting interest.
- b. To the extent an individual's expertise is necessary in evaluating any product, the individual's conflict, duality of interest or financial ties to any related product must be disclosed to those charged with the responsibility for making the decision.

Implementation:

- I. Residents or faculty can report any inappropriate contact or interactions with Industry to the Associate Dean for GME or designee without fear of negative repercussions.
- II. Reports of violations of this policy will be investigated by the Associate Dean for GME or his/her designee, who may appoint an ad hoc committee to investigate the complaints on behalf of the GME Committee. The investigation will result in a report with recommendations for corrective action of any infractions discovered.
- III. Any violation of this policy can result in formal disciplinary actions in accordance with applicable SUNY Downstate policies.

Approved by the GMEC and DIO, effective 12/18/ 2019.



Chairman of the GMEC



DIO