

**SUNY DOWNSTATE MEDICAL CENTER
HEALTH SCIENCE CENTER AT BROOKLYN
GRADUATE MEDICAL EDUCATION
POLICIES AND PROCEDURES**

Title: GME Policy on Pharmaceutical and Biomedical Vendor/Corporation Relationships and Interactions

Purpose:

GME programs of SUNY Downstate endeavor to train students, residents and fellows in the highest standards of intellectual objectivity and professional ethics. This policy reinforces and upholds institutional and individual efforts to promote a learning environment that supports professionalism and eliminates activities that undermine this objective. It is the goal of these guidelines to establish policies and practices which will minimize conflicts of interest or appearances of conflicts that may unduly influence 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 is established to address specific interactions between students, residents and fellows in our academic programs and industry. To minimize the potential for commercial bias, this policy is established to separate medical students, residents and fellows from solicitation, marketing, promotion or any other influential tactic by vendors/corporations involved in the healthcare or biomedical industries including equipment and service providers as well as pharmaceutical and device providers.

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 and Industry
- The Accreditation Council for Continuing Medical Education: Standards for Commercial Support
- The AMA Position Statement E-8.061 Gifts to Physicians from Industry
- The Pharmaceutical Research and Manufacturers of America (PhRMA) Guidelines/Code of Ethics
- The American College of Physicians Guidelines on Physician-Industry Relations
- The New York City Health and Hospitals Corporation Policy on Industry Vendors Interactions

Definitions:

Trainees: Interns, residents or fellows in programs sponsored by or participating with SUNY Downstate Medical Center

Industry: vendors/corporations involved in the business of healthcare or biomedical products or services including equipment and service providers as well as pharmaceutical and device providers.

Policy:

- I. To the extent that certain interactions with industry are limited or prohibited within the institution, they are also prohibited off-site and these policies will apply to residents and fellows in SUNY Downstate programs at all training facilities.
- II. Industry must not invite SUNY Downstate personnel to participate off-site in practices prohibited or restricted on-site.
- III. Industry representatives are prohibited from interacting directly with trainees at any time on the grounds of SUNY Downstate or any of its participating institutions. In addition, SUNY Downstate may not be used in any way as a vehicle for contacting trainees or marketing to them. Industry representatives may interact with trainees only under supervision of faculty members and then only for education purposes. Any such interactions in clinical patient care areas are prohibited. Access to industry representatives is restricted to non-patient care areas and nonpublic areas and should take place only by appointment and invitation of the supervising faculty member.
- IV. No element of the any program or program curriculum will be used as a forum for distribution of gifts, or other promotional or educational items, or for encounters with industry representatives. This is not intended to preclude participation in meetings, conferences or CME activities that may be funded with unrestricted educational grants from industry through Departments or centralized institutional funding mechanisms.
- V. Gifts to Individuals
 - a. The acceptance of any gifts from industry by staff, students, residents and fellows in SUNY Downstate programs is prohibited whether on-site or off-site.
 - b. The acceptance of even small gifts can affect clinical judgment and heighten the perception and reality of a conflict of interest.
 - c. A gift is defined as anything of value that is not reasonable compensation for bona fide services including money, entertainment, or any other products, services or subsidies that are not specifically authorized by provisions within this policy.
 - d. The dictates of professionalism require the physician to decline any industry gift or service that might even be perceived to bias judgment, regardless of whether a bias actually materializes. As such, physician trainees are not to accept any promotional gifts or amenities, whatever their value or utility, as they have the ability to cloud professional judgment and compromise patient care.
 - e. Individuals may not accept gifts, gratuities, meals or compensation for listening to or attending a sales talk, prescribing particular treatments or attending CME or non CME activity.
 - f. In order to avoid appearances that decisions may be influenced by commercial interests, or benefits expected or received from any company, all offices and clinical areas should remain free of any promotional materials that advertise a particular product.
 - g. Low cost gifts of an educational or patient-care nature are acceptable, but must be distributed by a central administering unit and may not be presented to individuals.
- VI. Pharmaceutical Samples
 - a. The provision of pharmaceutical samples to or by trainees is prohibited.

- b. As per SUNY Downstate Policy, the use and distribution by drug company representatives as well as dispensing and administration by the professional staff at UHB of drug samples and complimentary packages of medications is not permitted.
 - c. All medications, including samples, must be centrally managed by the Pharmacy Dept.
- VII. Industry Support of CME
 - a. SUNY Downstate complies with all 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 are coordinated and overseen by the CME Office.
- VIII. Participation in Industry-Sponsored Programs
 - a. Faculty and trainee participation in industry-sponsored speakers' bureaus is strongly discouraged.
 - b. Trainees are prohibited from attending non-ACCME accredited industry events billed as CME; accepting payment for attendance at industry-sponsored meetings; accepting personal gifts from industry at industry-sponsored meetings.
- IX. 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
 - b. Educational merit and financial support 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, with no involvement by the donor industry
- X. Food
 - a. Industry supplied food and meals are considered personal gifts and are not permitted to be provided or to be accepted. 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.
- XI. Professional Travel
 - a. Trainees are prohibited from directly accepting travel funds from industry, other than for legitimate reimbursement of contractual services
- XII. 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.
- XIII. Purchasing
 - a. As per SUNY Downstate policy, personnel with any financial interest in any particular manufacturer of pharmaceuticals, devices or equipment, or any provider

of services, must fully disclose such interests according to SUNY policies and to 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 financial ties to any related product must be disclosed to those charged with the responsibility for making the decision.

Implementation:

- I. Interns, residents, fellows 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 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.

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