

<b>Classification</b> Administrative	<b>Policy Number</b> ADM-COI-002	<b>Page</b> __1__ of __3__
<b>Subject</b> Conflict of Interest	<b>Date Approved</b> 01.12.09 <b>Effective Date</b> 04.01.09	<b>Date Revised</b>

**PURPOSE**

The purpose of this policy is to specify legitimate Industry sponsorship of the West Virginia University School of Medicine (SoM) missions within specified ethical guidelines, while prohibiting industry marketing and advertising activities within SoM. If there are questions about this policy in relation to specific activities or circumstances other than those described, SoM personnel should consult with their chair or the Dean’s office for further guidance and clarification.

**POLICY STATEMENT**

Our patients’ best interests are our first priority and the SoM’s interaction with industry needs to primarily benefit our patients. Professional integrity is to be maintained through honesty, transparency, and accountability with regard to the SoM’s relationships with industry.

This policy mandates that all clinical, educational, and research activities of faculty, residents, and staff employed by SoM (and UHA personnel) be scrutinized for potential conflicts of interest due to financial relationships with; or gifts provided by Industry (defined as all pharmaceutical manufacturers, and biotechnology, medical device, and hospital equipment supply industry entities and their representatives), in accordance with the *WV Code 6B-2-5 (Appendix A)* that would jeopardize these guiding principles. In addition, this policy includes various elements recommended by the American Association of Medical Colleges pertaining to Conflicts of Interest.

**EXCLUSIONS**

Grants, contracts and charitable gifts provided by Industry are subject to current policies of the Office of Sponsored Programs and WVU Foundation respectively.

**ENFORCEMENT**

Primary enforcement of this policy should occur at the department level. However, the Dean and/or his/her designee(s) will serve in this capacity if a particular issue is escalated (i.e. faculty appeal of chair’s decision).

Failure to abide by this policy may result in disciplinary action, up to and including a letter of warning, removal of various privileges, suspension or termination of employment.

**POLICY DETAIL**

**A. Gifts and Provision of Meals**

Industry supplied food will be permitted both on-site and off-site ONLY if provided in accordance with *Accreditation Council for Continuing Medical Education (ACCME) Standards to Ensure Independence in CME Activities (Appendix B)*.

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Acceptance of gifts must be in accordance with *WV Code 6B-2-5 (Appendix A)*. For purposes of this policy “nominal” is defined as no more than \$25.00 per instance.

**B. Consulting Relationships**

All consulting arrangements must be in accordance with the institutional WVU policy on consulting: <http://www.wvu.edu/~acadaff/fac/Handbook/part5.html#outside>, and must be disclosed annually on the Conflict of Interest form (Appendix D); however, nothing in this policy shall be construed as being in conflict with the provisions of the WVU Board of Governors’ Policy 2 with regard to patient care activities by faculty physicians. Direct sales to patients, SoM, and UHA personnel for personal gain and activities designed to foster such sales shall constitute a violation of this policy.

**C. Pharmaceutical Samples**

Free samples of drugs and/or devices may be accepted by individual SoM personnel and departments to be distributed ONLY to patients. Samples of drugs and/or devices should NOT be personally used by physicians or their family members. All samples MUST be delivered to the department’s academic office and NOT patient care areas. The only exception to this practice is our satellite facilities.

In addition, each department must keep a log of the samples/devices received by each vendor. These electronic logs will be reviewed by School of Medicine Administration on an annual basis.

**D. Site Access by Industry Representatives**

Industry representatives are not allowed to enter into in-patient or out-patient care areas. However, under limited circumstances, device industry representatives may be allowed in patient care areas at the request of a clinician to facilitate a clinical procedure involving a pertinent device. In these instances, the WVU Hospital’s policy on Vendor Visitation VI.210 must be followed.

**E. Continuing Medical Education**

All continuing medical education events hosted or sponsored by the SoM must comply with the appropriate *ACCME standards (Appendix B)*. Any such educational program must be open on equal terms to all interested practitioners, and may not be limited to attendees selected by the company sponsor(s).

Industry funding for such programming should be used to improve the quality of the education and should not be used to support hospitality (such as meals, social activities, etc.) except at a nominal level.

**F. Industry Sponsored Meetings or Industry Support for Off-Campus Educational Meetings**

Faculty, students, and trainees are prohibited from accepting travel funds from industry other than for legitimate reimbursement in accordance to the other guidelines outlined above.

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**G. Industry Support for Scholarships or Fellowships or Other Support of Residents or Student Fellows**

All such agreements (such as sponsorship to send a resident or student to a professional society meeting) must be in accordance with the policies of the GME Office at: <http://www.hsc.wvu.edu/som/gme/pdfs/VendorInteractionPolicy3.20.07.pdf>.

Vendor support of educational conferences, scholarships and/or other support involving resident physicians or students may be used ONLY if the funds are directly provided to the WVU Office of Graduate Medical Education, who will determine how the funds will be allocated. The institution must not be subject to any implicit or explicit expectation of providing something in return for the Support.

The meeting or lecture content must be determined by the provider and not the industrial sponsor. The lecturer is expected to provide a fair and balanced assessment of therapeutic options and to promote objective scientific and educational activities and discourse.

If the event is an actual ACCME event, being coordinated by the Office of Continuing Medical Education, please see section Medical Education. In this instance, funds do NOT have to go through the WVU Graduate Medical Education Office.

**H. Ghostwriting**

Faculty, students, and residents are prohibited from allowing their professional presentations, oral or written, to be ghostwritten by any party, industry or otherwise.

**J. Disclosure**

Any faculty and staff who have a financial interest in and/or perform work for any particular company must annually disclose such interest and must not knowingly and intentionally participate in the awarding or oversight of a public contract with said company.