



TITLE UK HealthCare Members Interactions with Industry Representatives and Service Providers (Code of Conduct Addendum, Part 4 of 5)			IDENTIFICATION NUMBER A01-155
ORGANIZATION(S) University of Kentucky / UK HealthCare	SITES AFFECTED X Enterprise <input type="checkbox"/> Chandler <input type="checkbox"/> Good Samaritan <input type="checkbox"/> KCH <input type="checkbox"/> Ambulatory	CATEGORY X Enterprise <input type="checkbox"/> Nursing <input type="checkbox"/> Department <input type="checkbox"/> Guideline <input type="checkbox"/> Protocol	REPLACES:
REVIEW CYCLE <input type="checkbox"/> 1 year X 3 years REVIEW DATES: 8/12/2015; 10/21/2019; 2/24/2020; 3/6/2023			EFFECTIVE DATE: 4/15/2023

POLICY STATEMENT

UK HealthCare Member interactions with industry and service providers occur in a variety of on-campus and off-campus circumstances, including marketing of new products, training related to new purchases, research, research support, educational support for trainees and continuing medical education programs. Many aspects of these interactions are very positive and important for promoting the educational, clinical and research missions of UK HealthCare. However, these interactions must be ethical and cannot create conflicts of interest, real or perceived, that could endanger patient safety, data integrity, the integrity of our education and training programs or the reputation of our members and our institution.

PURPOSE

This policy is an addendum to [UK GR XIV \(Ethical Principles and Code of Conduct\)](#), [A01-005 \(Code of Ethics\)](#) and [A01-030 \(Conflicts of Interest\)](#). Its purpose is to provide guidance for the interaction of UK HealthCare Members with industry representatives and service providers.

SCOPE

This policy applies to all UK Healthcare Members, as defined below.

DEFINITIONS

UK HealthCare Members

“UK HealthCare Members” is defined as University of Kentucky Trustees, UK HealthCare employees, trainees, students, volunteers and representatives acting on behalf of the University involved in healthcare delivery and to all faculty, staff and trainees in the academic programs of the University of Kentucky Colleges of Medicine, Dentistry, Nursing, Pharmacy, Health Sciences and Public Health whether or not those individuals engage in clinical care.

Industry Representatives and Service Providers

For the purpose of this policy, “industry representatives and service providers” means any “manufacturer(s)” or “group purchasing organization(s)” as those terms are defined below. It also

includes other outside entities and individuals who provide services (for example, IT services) to UK HealthCare.

Manufacturer

A “manufacturer” is an outside entity that is engaged in the production, preparation, propagation, compounding, or conversion of a covered drug, device, biological, or medical supply, or any entity under common ownership with a manufacturer. [42 CFR § 403.902](#).

Group Purchasing Organization

A “group purchasing organization” means an entity that purchases, arranges for or negotiates the purchase of a covered drug, device, biological, or medical supply for a group of other individuals or entities. [42 CFR § 403.902](#).

PROCEDURES

Gifts and Meals

1. UK HealthCare Members may not accept gifts from an industry representative or service provider, regardless of the nature or value. Gifts include anything of value provided at no charge or at a discount. For any known or suspected violations contact the Office of Corporate Compliance.
2. Meals or snacks sponsored by industry or service providers are not allowed unless the meal or snack is in conjunction with an accredited continuing education program and the meal or snack is offered to all attendees.
3. All other gifts to UK HealthCare Members must be in compliance with [UK GR XIV](#), Section 18 (Acceptance of Gifts and Benefits).
4. Philanthropic gifts are accepted through the UK HealthCare Office of Philanthropy.
5. Benefits provided by KMSF are not considered gifts and therefore are exempt from this policy.
6. UK HealthCare Members may participate in events such as golf scrambles and dinners that take place solely to benefit bona fide not-for-profit organizations, e.g. the American Heart Association, American Cancer Society, Kentucky Children’s Hospital.

Industry Representative Access to UK HealthCare Members

1. Industry representatives and service providers are required to make an appointment in order to meet with a UK HealthCare Member. These appointments are in non-patient, non-care areas.
2. Industry representatives and service providers may not interact directly with students or house officers unless supervised by UK HealthCare Faculty.
3. At the request of the attending physician, an industry representative or service provider may be allowed in a patient care area. The attending physician assumes responsibility for the representative and shall remain in the treatment area throughout the representative’s interaction. The interaction with the patient is guided by UK HealthCare policies governing patient privacy and confidentiality, informed consent and quality patient care.
4. More information on industry representatives and service providers in UK HealthCare facilities can be found in [A01-105 \(Industry Representatives and Service Providers\)](#).

Ghostwriting and Speakers Bureaus

1. “Ghostwriting” refers to an industry marketing scheme in which industry representatives create lectures or academic publications to further their cause and then recruit credentialed professionals to present or publish the information as if it was the credentialed professional’s independent work. Ghostwriting is considered academic dishonesty and is not allowed by any UK HealthCare Member.
2. UK HealthCare Members may not participate in Speaker’s Bureaus or any other speaking arrangement in which the UK HealthCare Member does not have complete control over the content of the presentation.
3. Any contract regarding speaking engagements is reviewed by the University of Kentucky Office of Legal Counsel prior to the speaking engagement.

Participation in and Publication of Industry-Sponsored Research

1. UK HealthCare Members who participate in any industry-sponsored research shall abide by [UK AR 7:2 \(Financial Conflicts of Interest in Research\)](#) as well as this policy.
2. UK HealthCare Members who conduct research sponsored by industry shall have an active role in the research project. This participation includes:
 - a) Substantial input or full agreement with the trial design;
 - b) The study’s steering committee has access to raw data; and
 - c) Responsibility for data analyses and interpretation of results.
3. UK HealthCare Members shall retain the right to publish the results without consent or prolonged review from industry representatives.
4. Prior to publication, the authors shall provide full disclosure of any possible conflicts of interest.

Consulting Agreements

In all consulting agreements, [AR 3:9 \(Consulting and Other Overload Employment\)](#), [HR Policy and Procedure #18 \(Outside Employment\)](#), [A01-030 \(Conflicts of Interest\)](#) and college-specific Practice Plans also apply.

1. After receiving advanced approval pursuant to [AR 3:9](#), UK HealthCare Members may work as consultants, providing bona fide services for compensation at fair market value. Expenses such as travel, hotel and meals associated with providing the bona fide services may be reimbursed.
2. For UK HealthCare Members affiliated with one of the UK Health Professions Colleges, the approval process in Section B of [AR 3:9](#) shall be followed. This process requires that consulting activities be approved by the Provost prior to agreeing to or beginning any work.
3. All consulting work requires a contract with the outside agency. The contract includes clear deliverables such as a description of services provided, compensation and length of service. The contract may need approval by the University of Kentucky’s Office of Legal Counsel prior to the agreement to start any work.
4. Benefits from consulting agreements are fully disclosed on the applicable financial conflict of interest forms within 30 days of receipt of benefits.

Training and Site Visits

1. UK HealthCare Members may be required to travel to other locations in order to train for or view new equipment or systems. Such travel is only considered legitimate if the product, equipment or training cannot reasonably be brought to the University campus.
2. All site visits must comply with the [Kentucky Model Procurement Code, KRS Chapter 45A](#) and UK Purchasing rules, and are arranged in coordination with the UK Purchasing Division.
3. If the University is evaluating a product or service, the site visit shall be considered an operating expense of the University area which is considering the purchase.
4. If the University has a purchasing agreement that includes travel to a site for review or training, then it is appropriate for the vendor to pay for the travel, meals and lodging. However, entertainment associated with the travel is not appropriate and the travel, lodging, and meals are reasonable.

Continuing Medical Education

1. University of Kentucky/UK HealthCare-hosted and properly accredited continuing education events may be funded in part by industry. If industry support is provided, it must be made to a college, department, center or division but not directly to an individual. Funding sources are disclosed to the accrediting agency.
2. Industry representatives and service providers shall not be allowed to select a topic or speaker for any University of Kentucky/UK HealthCare-hosted continuing education events.
3. Industry-sponsored meals and snacks offered as part of an accredited continuing education event are allowed given the meal or snack is available to all participants and of reasonable expense.
4. Industry-initiated continuing education events or professional educational activities may not be held on UK HealthCare property.
5. Industry may not directly subsidize an individual UK HealthCare Member's attendance at any conference or meeting. Industry may donate funds to a conference planning organization that in turn may reduce the conference fees for all attendees.
6. UK HealthCare Members attending off campus vendor-initiated and non-accredited meetings typically called "professional educational experiences" may not accept gifts or meals unless they reimburse the sponsor of the event for the costs of the gift or meal. UK HealthCare members can, however, attend such meetings as long as no gifts or meals are accepted.

Scholarships

1. Industry representatives and service providers may provide support in the form of scholarships for students and house officer's attendance at accredited educational conferences. The scholarship funds are approved by the Dean of the respective college and are set up as a gift through the UK HealthCare Office of Development.
2. Selection of recipients for industry sponsored scholarships shall be completed through the Dean's office of the appropriate college. The Dean may delegate the selection to others in the college. Industry representatives may not be involved in the selection process. Written documentation of the selection process is required.
3. The recipient is not subject to any expectation of providing something in return for receiving the support, i.e. "quid pro quo".
4. The policy does not apply to regional or national merit-based awards or to formal research grants supported by industry.

Questions

Any questions regarding this policy should be directed to the Office of Corporate Compliance.

REFERENCES

1. [UK GR XIV \(Ethical Principles and Code of Conduct\)](#)
2. [A01-005, Code of Ethics \(Code of Conduct Addendum, Part 1 of 5\)](#)
3. [A01-030, Conflicts of Interest \(Code of Conduct Addendum, Part 2 of 5\)](#)
4. [A01-105 Industry Representatives and Service Providers \(Code of Conduct Addendum, Part 3 of 5\)](#)
5. [A01-160, Annual Disclosure of Financial Conflicts of Interest \(Code of Conduct Addendum, Part 5 of 5\)](#)
6. [HR Policy and Procedure #18 \(Outside Employment\)](#)
7. [AR 3:9 \(Faculty Consulting and Other Overload Employment\)](#)
8. [AR 3:14 \(Practice Plans for Health Science Colleges and University Health Services\)](#)
9. [UK AR 7:2 \(Financial Conflicts of Interest in Research\)](#)
10. [A14-135 \(Medication Sample Management\)](#)
11. [A07-115 \(Value Analysis Process\)](#)
12. [42 CFR § 403.902](#)

APPROVAL

NAME AND CREDENTIALS: Noelle True	NAME AND CREDENTIALS: Brett Short
TITLE: Assistant Chief Compliance Officer	TITLE: Chief Compliance Officer
SIGNATURE	DATE
SIGNATURE	DATE