

SECTION 7 – INSTITUTIONAL POLICIES RELATIVE TO GME PROGRAMS

POLICY NO: 8.1

SUBJECT: Interaction with Vendors – GME Faculty & Residents

A. Principles

1. Physicians' conflicts of interest generated by pharmaceutical and other health-related industry marketing activities should be resolved consistent with obligations to patient care and medical education.
2. Attending faculty and house staff are committed to intellectual rigor and objectivity in all transmittal of medical information.
3. The primary mission of Saint Peter's University Hospital's clinical training programs is to prepare physicians in training and student physicians to render patient -focused, competent, evidence-based, and responsible clinical care. One component of this training is the acquisition of basic and advanced knowledge of pharmaco-therapeutics. A second component is the ability to critically evaluate the continuous stream of developing therapeutic information, from academic and commercial sources. A third component is the ability to identify various commonly employed marketing strategies intended to influence physician practice.
4. Pharmaceutical detailing should not inappropriately bias physician practice.
5. For purposes of this policy, "pharmaceutical" shall include pharmaceutical, biomedical devices, equipment, and other health-related entities.

B. Guidelines

1. Faculty

- a) Faculty should model behavior consistent with ethical guidelines developed by responsible professional organizations (American Medical Association, Accreditation Council for Continuing Medical Education) regarding relationships between physicians and industry. Faculty comprises any and all physicians engaged in teaching house staff, whether salaried or voluntary.
- b) Regardless of venue or sponsorship, faculty must present only objective and fairly balanced materials, consistent with established norms of the ACCME and AMA.
- c) Faculty may not receive honoraria for activities given on campus or at Saint Peter's University Hospital-affiliated ambulatory sites during usual working hours or in the course of usual working responsibilities.
- d) Faculty are not to employ Saint Peter's University Hospital infrastructure to support or promote after-hours lectures or other industry-driven activities, unless the program is formally accredited by a CME sponsoring body.

- e) Faculty may serve as consultants to pharmacy or proprietary companies for clearly defined professional services.
- f) Faculty must disclose to peers and residents relevant financial or other relationships between faculty and industry that might constitute conflict of interest, when involved in pharmaceutical sponsored programs.

2. Physicians in Training (including student physicians)

- a) Trainees may not organize or promote, either on campus or off campus, non-CME accredited, industry -driven activities.
- b) Trainees may not attend detailing lunches off campus or at ambulatory sites during work hours, unless a faculty physician is present during the program.
- c) Trainees may not engage in any detailing activities (including computer-based detailing), either on campus or off campus, for which they receive gifts or payments.
- d) Trainees may not receive payments for participation in lectures or detailing programs including those described as “peer groups”, “advisory boards”, dinner lectures, and the like.
- e) Trainees may accept only gifts directly related to professional activities, may not receive cash or cash equivalence gifts, and may not receive any gift with a monetary value greater than \$100. (See item 7 below).
- f) Trainees may attend social events associated with educational activities only if:
 1. the value of the event to the physician is modest.
 2. the event itself should facilitate discussion among attendees or between attendees and faculty.
 3. the educational portion of the conference accounts for a substantial majority of the total time accounted for by the educational activities and social events together.

3. Pharmaceutical Representatives

- a) Representatives must comply with Department of Purchasing/Pharmacy Policy regarding pharmacy detailers.
- b) Representatives may not use hospital infrastructure for promotion of programs not accredited by the ACCME. E.g., dinner/show.
- c) Representatives may not loiter in the Hospital Library or elsewhere on campus for the purpose of contacting physicians.
- d) Representatives may not engage in any detailing, promotional, or educational activities on the inpatient floors. Any representative found in a patient care area, in breach of hospital policy, will be removed and repeat offenders will be denied access to Saint Peter’s University Hospital.

- e) Representatives may not, at any time, promote or offer professionally non-relevant activities, such as raffles, sweepstakes, contests, and tickets to cultural or sporting events.
- f) Representatives may meet with the chief of service or designee by appointment.
- g) Representatives may provide lunch meals and leave promotional materials, only with prior authorization of the chief of service or designee.
- h) Representatives may attend, but may not participate in, any educational programs.
- i) Representatives may not offer scholarship, grants, or funds directly to any house officer.

4. Pharmaceutical Industry Support of Educational Conferences

- a) Pharmaceutical representatives may recommend and sponsor a physician guest speaker for an educational conference, as long as a faculty member approves the speaker and topic, there is full disclosure of the speaker's conflicts of interest, and at least one attending physician is present to moderate/respond to content. In this setting, representatives may be present but may not address the attendees. These criteria are consistent with standards of the ACCME.
- b) Presentations by company-sponsored physicians must be objective, fair, and balanced, and be based on available research data. Drugs should be referred to by their generic names.
- c) Funds offered by industry for residency or fellowship educational activities, including scholarships or support for attendance at professional conferences, must be given directly to a program director or the sponsoring institution and not to the trainees. Faculty retain full educational discretion over the use of these funds.

5. Presentations by Pharmaceutical Industry Representatives

Presentations by pharmaceutical representatives may have specific value in terms of assisting faculty in educating trainees in analysis of promotional material and in recognizing marketing techniques. Presentations by pharmaceutical representatives and attended by trainees, in either inpatient or outpatient practice settings, must conform to the following:

- a) All on campus presentations by pharmaceutical representatives must be organized and directed by the chief of service or designee.
- b) Attendees must include at least one faculty physician.
- c) Representatives must make promotional materials to be used during a meeting available to the faculty preceptor prior to the meeting in a time frame acceptable to the preceptor.

- d) A faculty member should be prepared to discuss the promoted material in an objective and evidence-based fashion or assign this responsibility to a trainee. This preparation may include critical review of the promotional material, presentation of additional or refuting studies, referencing the promoted information with consensus panel statements, position papers, etc.
- e) The representative may remain for the discussion portion of the meeting at the discretion of the faculty physician in attendance.

6. Educational Programs on Marketing and Promotion

- a) Each training program must include in its curriculum education on pharmaceutical industry sales and promotion, the content of which must address:
 - 1. pharmaceutical industry marketing techniques and evaluation of promotional literature.
 - 2. recognition of clinically relevant and irrelevant drug information.
 - 3. assessments of the validity of presented information and identification of omitted information.
 - 4. ethical issues/conflicts of interest raised by interactions with industry.

7. Gifts

- a) Consistent with the AMA's Code of Medical Ethics "Gifts to Physicians from Industry", gifts from pharmaceutical companies and medical device manufacturers must be limited to gifts with patient benefit, educational value, and be of insubstantial monetary value. Gifts of minimal value related to a physician's work are also permitted (e.g., pens, notepads). Trainees may not accept gifts unrelated to professional activities.
- b) Trainees or faculty should not:
 - 1. solicit or receive personal gifts from pharmaceutical companies.
 - 2. allow pharmaceutical representatives to conduct contests, drawings, or raffles or other activities that lead to personal gifts.
 - 3. display gifts or promotional materials that advertise specific branded products in patient care or waiting areas.
- c) Trainees or faculty may receive competitive awards and scholarships funded by pharmaceutical companies if all control of recipient selection rests with an independent professional organization.

8. Product Samples

Medication and other product sampling are promotional activities and therefore should be limited among the hospital's clinical departments and faculty practices. Sample products may be helpful to patients who have financial difficulty in obtaining needed medications. However, prescribing and distributing branded medications solely because of gratis availability is inappropriate.

- a) It may be acceptable to distribute a specific branded medication sample to treat a condition provided 1) the quality of care to the patient is no way compromised by selection of medication (e.g., efficacy, risk profile, compliance, or cost) and 2) no acceptable generic alternatives exist.
- b) Physicians should not accept from pharmaceutical detailers conditions of face-to-face interaction in order to procure product samples.
- c) The physician (or designee) responsible for a clinical department or faculty practice determines the specific medication or product samples to be accepted for distribution.
- d) Consistent with AMA guidelines, faculty and trainees may accept gratis medications for personal or family use for a trial to assess tolerance or efficacy, or for treatment of acute conditions requiring short courses of therapy. Neither faculty nor trainees may accept gratis pharmaceutical for long term treatment of chronic conditions.
- e) Faculty or trainees should not receive, for personal use, medication, or other product samples (e.g., infant formula), of monetary value greater than \$50 (see item 2b).

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