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| Policy #: 020.002 |
| Policy Title: Trainee Vendor Interactions |
| Sponsor: David Brown, MD; DIO |
| Approved by: Graduate Medical Education Committee |

Purpose

Florida International University (FIU) has adopted the following policy to clarify vendor interactions between representatives and corporations with FIU trainees.

This policy addresses Accreditation Council of Graduate Medical Education’s (ACGME) Institutional Requirement *IV.L. Vendors: The Sponsoring Institution must maintain a policy that addresses interactions between vendor representatives/corporations and trainees/fellows and each of its ACGME-accredited programs.*

Definitions

Lending Institution: Any entity (other than an institution of higher education or a governmental entity such as the U.S. or Florida Department of Education) involved in the making, holding, consolidating or processing of any student loans.

Vendor: Any individual, P.A., or entity that provides goods or services to FIU, including all professional services (medical, legal, financial, etc.); construction and renovation; and insurance and consulting activities. These entities may include but are not limited to pharmaceutical companies, device manufacturing companies, and other health-related companies.

Background

Vendors, contractors, patients or others may offer gifts or gratuities to employees of FIU. FIU employees are prohibited from using or attempting to use their position(s) in order to obtain special benefits or privileges for themselves or others. Offerings may represent a potential for conflicts of interest, or the appearance of such, on part of the employee and FIU. FIU employees, their spouses and children must not accept or request anything of value if it might be perceived as influencing the employee’s actions.

In addition, pharmaceutical and medical device companies may use non-monetary gifts, financial compensation, personal visits, educational events, and other strategies in an attempt to influence prescribing or other medical practices.

Policy

This policy addresses trainee relationships with vendors in educational contexts, which may include clinical training sites. The purpose of the policy is to ensure that graduate medical education activities of FIU’s graduate medical education programs are not compromised through vendor influence, either as a group, or through interactions with individual trainees. The goal of this policy is to promote ethical behavior and professional accountability in FIU trainees.

Procedure

The permissible and prohibited practices herein are not exhaustive. Any interaction between trainees and/or faculty with vendor representatives that has the appearance of undue influence in clinical or academic practices is discouraged.

Trainees train at participating sites and it is possible they will encounter differing policy statements on various aspects of vendor interactions and conflicts of interest. This policy will supersede policies of other institutions that are in conflict with FIU's policy on vendor interactions unless the participating site has a more restrictive policy.

Pharmaceutical Samples

The acceptance by a trainee of free pharmaceutical samples for delivery to patients is prohibited. Acceptance of pharmaceutical samples for self-use is strictly prohibited for all trainees and faculty.

Vendor gifts

"Gifts" refers to items or services having an attributable value. Gifts include real property; the use of any property; a preferential rate or terms on a transaction; forgiveness of a debt; transportation; lodging; parking; food or beverage; dues and fees; tickets; plants and flowers; personal services; invitations to participate in social events, entertainment or recreational opportunities; and promotional items.

Trainees may not accept a personal gift if it is given for the purpose of influencing a work-related decision; as such, trainees cannot accept a gift themselves, or on behalf of FIU, individually or as a group, from any vendor or manufacturer of a *health care product or from the representative of any such vendor or manufacturer.*

A trainee may accept a personal gift if it is unsolicited and is not from a vendor or manufacturer of a health care product or from a representative of any such vendor or manufacturer. If the gift value is over \$100, the trainee must contact the Compliance Office of FIU.

A gift of any value may be accepted by an employee on behalf of the University, provided the gift is promptly and properly transferred to the University through the FIU Foundation.

Gifts from Lending Institutions

All Florida International University officers and employees are prohibited from accepting anything of more than nominal value on their own behalf or on behalf of another person or entity from any Lending Institution.

Food and Beverages

The provision of food and beverages by vendors is not permitted at FIU facilities or at off-campus events held by FIU or any of its faculty. In off-campus events not sponsored by FIU trainees can accept and consume food and beverages provided by others under limited circumstances. Food and beverages incidentally provided at an event may be accepted when the trainee is attending because the Program Director or Department Chair has determined

the event is related to the trainee's job duties and necessary for training purposes. Incidental means the trainee would attend the event regardless of whether food and beverages were provided, and the food and beverages are provided to all attendees at the site of the event and are part of the official program. Food and beverages may also be accepted and consumed at events sponsored by civic, charitable, specialty or job-related professional organizations, governmental or community organizations. In other situations, trainees should refrain from accepting gifts of food and beverages from vendors or non-profit entities created and supported by vendors.

Vendor Sponsorship of Educational Activities

Vendor sponsorship of GME educational activities should take place through unrestricted grants and gifts only. An unrestricted grant or gift is one that is given through FIU, in which the donor(s) specifically identified intent to support certain activities (such as education for trainees). In instances where the grant is for GME educational use, the donor may not specify content, topic, or speaker. However, the grant may specify whether or not the purchase of food for a conference is allowed. Industry sponsorship for educational activities is permitted if and only if all of the following conditions are met:

1. The donation is limited to direct support (actual costs) of the educational activity.
2. The donation is made to programs, divisions or departments for general educational purposes and not for individual trainees or fellows.
3. No individual is specified by the vendor as the recipient of funds for travel, accommodation, meeting registration, or books.
4. No industry representative may participate in or market at on- or off-site educational events.
5. Sponsorship complies with ACCME standards.
6. No food or other refreshments, gifts, free samples, books, or promotional materials with the manufacturer, drug, or device name imprinted are available at educational events.
7. Vendors may be acknowledged in a sign at the event, website acknowledgement, or in the written program.

Vendor Training

Vendors may appropriately orient, train, and advise trainees on the proper use or calibration of a product already acquired by FIU or participating site. In such cases, the vendor may be present as a consultant solely to advise on the specific device and must not market other products. Teaching or supervising physicians must ensure that vendor involvement in any clinical activities is disclosed to patients/surrogates verbally and in writing, and patients/surrogates must confirm consent. Vendors must be clearly identified so that they are not mistaken as clinical staff.

Vendors may sponsor trainee training on equipment already in use at FIU or an affiliated institution. In situations where the training is to take place at a non-FIU site, the vendor may not contribute to a specific trainee's travel, housing, or per diem expenses incurred as part of the training. Vendors may contribute to an unrestricted grant that the program could use to reimburse trainees for travel costs and per diem according to FIU policy. Vendor contribution

to individuals is limited to waiver of any tuition or fees, and instruction manuals specifically related to the operation of the equipment.

Participation in Industry-Sponsored Programs

Trainees may not participate as paid presenters or speakers in industry-sponsored programs such as lectures and panels without express written permission of the Program Director. Trainees participating in such activity must report for duty hour purposes the actual time spent in the activity, must also disclose to the Program Director the amount of any compensation offered, including non-monetary items, and submit a Conflict-of-Interest form. If approved in advance by the Program Director, the trainee or fellow must also submit a request as per the Trainee Clinical Educational Work Hours Policy.

Purchase Decisions

1. If a trainee is appointed to committees with charge for vendor decisions, the following conditions apply:
 - a. Trainees must disclose to the committee chair the following in writing prior to joining the committee or influencing purchasing and submit a Conflict-of-Interest form.
 - b. The names of vendors from whom the trainee has ever accepted gifts or funding including research funding, speaker fees, visiting professorships, advisory board compensations, travel funds, etc.
 - c. The amount of compensation received per year for each discrete financial relationship with each vendor.
2. When a trainee member of the committee or individual purchaser has had financial ties with a manufacturer within the past two years whose products are being considered for purchase or lease, that person must:
 - a. Recuse him/herself from the committee's discussion of that vendor's product and any competing products under consideration.
 - b. The trainee must not attempt to persuade or dissuade fellow members of the committee from voting for the product, nor vote on the product in question or its competitors' products.
 - c. In instances where there is no standing committee, such as when an individual is charged with making a decision, that individual should convene an ad hoc committee which will be governed by this policy.

Program Monitoring of Trainee-Vendor Representative Interactions

Program Leadership should be aware of and discuss with trainees any interaction with representatives from vendors to ensure that any contacts are within the scope and spirit of this policy. Interactions that appear to place the trainee in a position of obligation to or influence by the vendor, should be explicitly discouraged. The Program Director must communicate this policy to their trainees as part of the Program orientation and reinforce it through inclusion in Program handbooks and other information sites for trainee reference. Programs should provide training to trainees on vendor relations and conflicts of interest, including reference to this policy and other relevant institutional policies. The Program Director is encouraged to include assessment of vendor interactions as part of the semi-

annual review process. Programs should correct actions as they arise to ensure compliance with the policies described herein.

Related Policies

FIU Gift Policy 140.131

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| Author | Maryam Shakir | 01/21/2020 |
| Revised | | 08/24/2024 |
| DIO Review | David Brown, MD | 08/26/2024 |
| GMEC Approval | Reviewed and approved | 08/29/2024 |