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Policies Supporting Professionalism and Education in Medicine Through Limitations on Gifts and Interactions with Industry

POLICIES ON:



The University of Maryland School of Medicine ("School") adopts the following policies so that the interactions of its faculty and students with representatives of industry associated with health care or medical education consistently reflect the principles of professional accountability and professionalism in all medical education settings.

Interactions with industry that are prohibited or restricted at the School are also prohibited or restricted at affiliate sites and other off campus locations.

These policies are distinct from Maryland and federal law and regulations, and existing policies of the University System of Maryland and the University of Maryland Baltimore, applicable to conflict of interest in the course of School employment; such other policies apply to conduct of research, procurement, and other aspects of the work of faculty. However, to the extent that these policies, or any provision of these policies, may be more restrictive than other applicable policies, these policies shall take precedence.

In these policies, the term "industry" includes pharmaceutical firms, medical device firms, medical or research equipment manufacturers or sellers, medical or research service providers, and any other business or nonprofit organization with an economic interest in advocating (or opposing) the use of specific drugs, devices, medical equipment, medical services, or methods of health care.

Policy Concerning Gifts to Individuals

School faculty and students may not accept any gift from industry, whether given at the School or at another location.

Industry representatives may not bring or serve food for medical education conferences or pay directly for physician meals at medical education conferences. This is considered a personal gift to physicians and is not permitted at the School or at other locations. Industry representatives may provide a grant or funds to the School or the University of Maryland Baltimore Foundation to be used for catering at an accredited CME activity or other School-sponsored activity. Off-campus, faculty may accept meals or other catered food and beverage services supported by contributions from industry only when the contributions were made to support an accredited CME activity.

Faculty and students must not accept gifts of travel funds from industry merely to participate in or attend medical education conferences.

Policy Concerning Pharmaceutical Samples

Faculty and students should comply with any site-specific policies governing central management of pharmaceutical samples at practice, research or education sites.

Policy on Site Access by Pharmaceutical Representatives and Device Manufacturer Representatives

Faculty are encouraged to interact with representatives from industry according to standards which promote balanced education and critical evaluation.

To protect patients, patient care areas and work schedules, access by qualified pharmaceutical representatives to individual faculty or groups of faculty should be restricted to areas which are not used for patient care and are not open to the public. In addition, interaction should take place only by appointment or by invitation of a faculty physician.

Faculty may involve students and trainees in such meetings only for educational purposes and only under the direct supervision of a faculty member.

Access by device manufacturers to patient care areas should be permitted only when the representatives have been appropriately credentialed by the clinical site, and at the invitation of a School faculty member.

Representatives from industry may not be present in any patient care interaction unless there has been prior disclosure to and consent by the patient (or, if the patient is not alert, a person authorized by HIPAA to consent to disclosure of medical information on behalf of the patient), and then only to provide in-service training or assistance on devices and equipment.

Policy Concerning CME

All continuing medical education activities on the UMB campus must be sponsored directly or jointly by the School, which is accredited by the ACCME to provide continuing medical education for physicians.

The School, with support from the University of Maryland Baltimore Foundation, Inc., oversees the request, grant management, and reconciliation process for any commercial support of CME activities sponsored by the School in accordance with ACCME policy.

Policy on Participation in Industry-Sponsored Programs

School faculty and students may not participate in non-ACCME-accredited industry-sponsored events, as attendees or as speakers, if industry designs or plans or otherwise controls the content of the event.

Rationale: If Industry controls the design and content of the program it will be difficult for faculty and attendees to verify that commercial bias is absent or that balanced education and critical evaluation are present.

Examples of prohibited "educational" activities include "drug company dinners" at restaurants and promotional speaking for industry through industry-sponsored "speakers' bureaus."

Exceptions to this policy might include participation in industry-sponsored, FDA-regulated educational activities where planners and speakers are careful to design balanced activities with opportunities for critical discussion, and to disclose the relationships of **planners and speakers** to the audience. The evaluation of the suitability of the activity must follow the process described below.

Under certain circumstances, School faculty may participate in some industry-sponsored FDA-regulated educational programs **in order to teach or present their scholarly work**. The proposed activity's design and implementation must be discussed by the faculty member and his or her Chair and prior approval for the activity must be sought. Each of the following conditions must be met:

- The Chair or the Dean's designee must approve the faculty member's participation prior to the event.
- The Chair or Dean's designee must assure that the activity has been planned and will be implemented in a manner which safeguards the academic integrity of the faculty member and the School.
- Faculty must disclose their relevant relationships with industry when presenting at such programs.
- Honoraria paid to SOM Faculty must be at "fair market value". Proposed honoraria must be reviewed with and approved by the faculty member's Chair or the Dean's designee prior to the faculty member entering into a binding commitment to participate in the activity. Receipt of honoraria must not violate the State Ethics Law or federal research policy, or other applicable legal restrictions.

Policy on Industry-Sponsored Scholarships and Other Educational Funds for Trainees

All scholarships or other educational funds from industry must be received by the University of Maryland Baltimore Foundation. Funds received from the Foundation are disbursed at the direction of the School.

The evaluation and selection of trainees receiving scholarships or educational funds must be the sole responsibility of School faculty and must be overseen by the Chair with no involvement by the donor industry. The Chair will report allocations of funds annually to the Dean or Dean's designee.

Ghostwriting

School faculty and students may not allow their professional scholarly papers or presentations of any kind, oral or written, to be ghostwritten by any person from industry, a medical education company, or another source. "Ghostwriting" refers to claiming authorship of a paper or presentation that was written or prepared by another person.

Effective March 1, 2009

Reviewed and approved by the School of Medicine Executive Committee 10.08.08.

Reviewed and approved by the School of Medicine Council 11.19.08.

Approved by the Dean of the School of Medicine 12.05.2008.

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