<u>Vendor Interactions with Hospital, Employees and Medical Staff</u> Approved 4-3-03 by the Council of Chiefs

Definitions

"Company" means any pharmaceutical company, medical device company, or any other person or entity that provides or is seeking to provide goods or services to the Hospital or that otherwise does business with or is seeking to do business with the Hospital.

"Gift" means anything from a Company having monetary value, and includes travel, meals, entertainment, books, sundries, etc., for which no legitimate services are provided by the recipient.

"Research Agreement" means any arrangement in which a Company provides anything of value to an individual, department or foundation in exchange for testing, analysis, or similar types of services.

"Consulting Agreement" means any arrangement in which a Company provides anything of value to an individual, department, or foundation in exchange for services, and includes grants and other advisory type payments.

Policy

- 1. Gifts from a Company to an individual medical or house staff member having a monetary value of less than \$100 in the aggregate in any one calendar year are permissible if such gifts serve a patient care or educational purpose (e.g., stethoscopes, medical textbooks, anatomical models). Such gifts from a Company having a monetary value of \$100 or greater in the aggregate in any one calendar year are prohibited. All gifts from a Company that do not serve a patient care or educational purpose, regardless of their value, are prohibited.
- 2. Gifts from a Company to a department or foundation must be made to the Children's Hospital Trust and must be reviewed and approved by the legal office.
- 3. Any Research Agreement between an individual, department, or foundation and a Company that is not processed through the Office of Sponsored Programs, must be reviewed and approved by the legal office.
- 4. All Consulting Agreements between an individual, department, or foundation and a Company must be reviewed and approved by the legal office. This review will assist in the protection of intellectual property rights as well as in properly structuring such agreements.
- 5. Any donations by a Company to support or sponsor education activities, such as seminars, conferences, or training sessions, must be made to the Children's Hospital Trust for educational purposes. The content of the educational program must be

completely unfettered and under the control of an individual faculty member, department or foundation. Advertising by the Company and/or the display of promotional/marketing materials is prohibited before, during and after the program. The sponsorship by the Company must be disclosed to the audience. Attendance and/or participation of Company personnel in the program is prohibited unless approved in advance by the legal office.

6. Company representatives, including sales and technical support personnel, are prohibited from accessing patient care areas and from speaking to trainees unless they have a previously arranged appointment approved by a department chief or division chief or his or her designee. Company representatives are prohibited from approaching and speaking with patients and their families about their products or services.

Consistent with existing Hospital policy on vendor registration, Company representatives are required to register with Purchasing, the Main Pharmacy, or the Patient Care Coordination Center (as appropriate to the particular vendor), where a one-day badge will be issued indicating vendor status, the date, and the hospital locations the representative is authorized to visit. Vendors are also required to display their name and the name of the company they represent.

Consistent with existing Hospital policy on visitors in the OR, any visitor, including any appropriate Company representative such as technical support personnel, must be at least 18 years old and permission for his or her presence in the OR must be obtained by the person seeking to invite the visitor, prior to the day of surgery, from (a) the attending surgeon, (b) the attending anesthesiologist, (c) nursing supervisor, and (d) the patient/family. Responsibility for all visitors in the OR rests with the individual who invites the visitor.

7. Honoraria of \$5000 or less for any one speaking engagement, plus reasonable travel and lodging expenses, are permissible so long as the payment to the individual is made by the program coordinator (e.g., AMA, AHA, etc.) and not a Company. Honoraria greater than \$5000, or travel and lodging for the speaker's spouse or family, must be reviewed and approved by the legal office.