I. PURPOSE

The purpose of this Policy is to prohibit conflicts of interest in situations involving the provision of primary and specialty health care and to establish standards of conduct for employees who provide health care services.

II. APPLICABILITY

This policy applies to all employees who are involved in providing health care services through the MSU HealthTeam. All other individuals who are involved in providing health care services through the MSU HealthTeam, such as medical students, nursing students, and medical residents, are also expected to comply with this policy.

Definitions

A. Conflict of Interest: A conflict of interest exists when an individual’s financial interests or other opportunities for tangible personal benefit may compromise, or reasonably appear to compromise, the independence of judgment with which the individual performs his/her responsibilities at the University.

B. Industry: A term referring to pharmaceutical, biomedical, including medical device manufacturers, and health care companies.

C. Product: A term referring to industry health care products, including FDA approved drugs and medical devices, as well as unapproved products intended to promote the health and well being of humans.

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1 An individual’s financial interests or other opportunities for tangible benefit must be judged not only by his/her personal holdings, but also on an aggregate basis with members of his/her immediate family (spouse, domestic partner, dependent children, and other dependents that reside with the faculty member) and any legal entity that one or more of them owns or controls.
D. Gift: Any gratuity, favor, discount, entertainment, hospitality, loan, product, or other item having a monetary value of more than a de minimus amount. The term includes a gift of services, transportation, lodging, or meals, whether provided in kind, by purchase of a ticket, payment in advance, or reimbursement after the expense has been incurred. The term “gift” does not include any of the following:

   a. Standard informational materials related to a product, such as a brochure or reprinted peer-reviewed publications.

   b. Training or information furnished to the University for the sole purpose of healthcare education, if such training contributes to the educational or professional development of students or licensed professionals.

   c. Scientific materials provided to the University under a material transfer agreement.

   d. Payment of reasonable honoraria and reimbursement of expenses consistent with University travel policies for presentation and discussion of academic information developed at MSU under personal control of the presenter.

E. Employee: Any individual who has an appointment with the MSU Health Team, including faculty, staff, and student employees.

III. INSTITUTIONAL POLICY REGARDING PROVISION OF PRIMARY AND SPECIALTY HEALTH CARE

A. Acceptance of food or gifts from drug, medical device, and health care product sales representatives for distribution in offices or clinics is prohibited.

B. Visits by drug, medical device, and health care product sales representatives are prohibited, except to persons or places designated by individual clinics or departments.

C. Industry promotional materials (pens, penlights, paper, prescription pads, etc.) may not be displayed for promotional purposes in any clinic or office space which patients routinely occupy.

D. Drug, medical device, and health care product samples may only be distributed under written guidelines developed by the MSU Health Team.

E. Products in which an employee has a financial or other ownership interest may only be prescribed, recommended, dispensed, and/or sold if they are for purposes approved by the Food and Drug Administration or other authorized university committee.
IV. STANDARDS OF CONDUCT

A. Referral of patients for services or to facilities in which an employee has a financial or other ownership interest may not be made unless there is an approved conflict of interest management plan in place that permits such referrals. In assessing whether to endorse a conflict of interest management plan, the relevant Department Chair and Dean will consider whether a unique patient benefit would result from the relationship, what quality assurance mechanisms would be used to monitor and evaluate the appropriateness of referrals, and whether such a relationship might conflict with fraud and abuse laws.

B. Industry promotional materials (pens, penlights, paper, prescription pads, etc) may not be used or displayed for promotional purposes while meeting or interacting with patients or medical/nursing students.

C. Acceptance of gifts from industry representatives is prohibited.

D. Outside work for pay, Industry-controlled presentations, and ghostwritten publications as it relates to clinical practice will follow University policy.

V. POLICY VIOLATIONS

Violations of this policy may result in disciplinary action.