

UMHHC Policy 01-04-008

Vendor Visitation and Interaction

Issued: 3/2003 Last Reviewed: 3/2018 Last Revised: 3/2018

I. POLICY STATEMENT, PURPOSE AND SCOPE

Vendors that conduct business at or with the University of Michigan Hospitals and Health Centers (UMHHC) will do so in accordance with UMHHC policy guidelines. Faculty, house officers, students, and staff of the UMHHC shall interact with vendors in a manner that meets ethical standards, protects patient confidentiality, does not interfere with the process of patient care, and encourages the appropriate, efficient, and cost-effective use of equipment, supplies, and pharmaceuticals within UMHHC. This policy shall be formulated and enforced by the Executive Committee on Clinical Affairs (ECCA). It is the responsibility of all staff to monitor and assure that vendors are compliant with these guidelines.

The purpose of the policy is to:

- Establish regulations for vendors doing business at UMHHC
- Provide guidelines for faculty and staff when interacting with vendors
- Assure appropriate identification of all vendors visiting the UMHHC
- Minimize interruption of patient care and staff productivity
- Improve the security of our patients, staff, and property
- Ensure that all vendor contacts are consistent with the UMHHC patient care, academic, and research missions
- Specify a mechanism to enforce this policy

II. DEFINITIONS

Vendor - Any representative of a manufacturer or company who visits the UMHHC for the purpose of soliciting, marketing, or distributing information regarding the use of medications, products, equipment, and services. Specified portions of the policy do not apply to vendors whose non-pharmaceutical products are already in place in the institution when the purpose of the visit is specifically to provide information to the UMHHC personnel concerning the implementation and appropriate use of their non-pharmaceutical product.

U-M Faculty and Staff - For the purposes of this policy, any reference to faculty and staff also includes house officers, all health care providers, students, volunteers, and persons hired by the University of Michigan to perform work at or on U-M's behalf.

UMHS Preferred Drug List (PDL) - The list of UMHS/U-M Medical Group preferred drugs as established by the Pharmacy and Therapeutics Committee.

Hospital and Health Center Sites - The buildings used by UMHHC for inpatient or outpatient care, including University Hospital, C.S. Mott Children's Hospital, Maternal Child Health Center, Taubman Center, Med Inn Building, Medical Professional Building, MedSport, all U-M Health Centers, and any other UMHHC-owned or operated site at which clinical care is delivered.

III. POLICY STANDARDS

Faculty and staff are expected to uphold the highest ethical standards in interactions with all vendors. Each member of the faculty and staff is responsible for reporting violations of this policy to the Manager of

Michigan Medicine Contracts and Procurement (734-763-9877) or to the Compliance Hotline (1-888-990-0111) or by email to Compliance-Group@umich.edu.

IV. PROCEDURES/ACTIONS

	Responsible Party/Action
General	<ol style="list-style-type: none"> 1. Each facility at UMHHC will have a designated check-in area for vendors. The check-in function may be performed by a person for whom this is their sole responsibility, or it may be incorporated into the existing responsibilities of an employee. Vendors are only permitted to visit faculty or staff by appointment. 2. All vendors are required to check in at the designated area and receive an ID badge before proceeding to a department. 3. Vendors who show up at departments without checking in at the designated area and without valid identification will be asked to either leave the facility or return to the designated area to check in and receive proper identification. 4. If a vendor does not adhere to this policy, Michigan Medicine Contracts and Procurement will take action as appropriate, such as requesting a replacement vendor or limiting new business with the UMHHC. 5. Notices explaining the vendor policy will be posted at each entrance to UMHHC facilities. The notices will indicate the designated entrance and check-in area for that facility. 6. The University of Michigan reserves the right to limit the number of vendors that any single company has visiting UMHHC facilities. 7. Vendors visiting UMHHC for the sole purpose of initiating and monitoring IRB-approved research studies are exempt from this policy on those occasions only. 8. All vendors who, in the course of providing necessary business services to UMHS, come in contact with patients or have access to identifiable health information, must sign a Business Associate Agreement (available from the Health System Attorney's Office) and abide by the UMHS Confidentiality of Patient Information Policy.
Pre-Visit	<ol style="list-style-type: none"> 1. Upon a vendor's first visit to the UMHHC, they shall schedule an appointment with Michigan Medicine Contracts and Procurement (734-763-9877). At that appointment, the vendor will be informed of the organization's solicitation and vendor diversity guidelines. 2. Vendors must schedule an appointment with individuals or departments prior to being allowed to visit. 3. The departments will be responsible for notifying the vendor of the check-in policy and giving them specific directions as to where to check in. <p>Pharmacy Specific</p> <p>All new pharmaceutical vendors who call on UMHHC facilities must also report to the Department of Pharmacy Services to register on their initial visit. During registration, the vendor must provide contact information for themselves as well as their supervisor. The Department of Pharmacy Services will provide the vendor with the pertinent UMHHC policies and guidelines, and they will be required</p>

to sign a statement confirming that they have received, reviewed, and agree to comply with the policies and guidelines.

Day of Appointment

1. At check-in, the vendor must register by signing in on the vendor registry log kept at that check-in area. Vendors will register their name, company name, date and time, and the individual or department being visited.
2. The vendor will be issued a specific ID identifying them as a vendor. This ID will be temporary, unique in color, valid for one day only, and specify the department they are visiting. Vendors are to wear the ID badge clearly displayed at all times while in UMHHC facilities.
3. At check-in, the designated person will contact the department that the vendor is visiting and get approval to allow the vendor to proceed. Vendors may only visit those departments and personnel when there is a prearranged appointment. Vendors may NOT visit with faculty, staff, or house officers or call on departments without a prearranged appointment.
4. If vendor visits have to occur at times other than during regular business hours, the department must notify the vendor check-in area and obtain in advance a temporary vendor badge for the representative.

Access

1. Vendors are restricted in access to physicians' offices, Michigan Medicine Contracts and Procurement, department offices, Pharmacy administrative and Materiel Services offices (all by appointment only), conference rooms (by invitation only), and public areas.
2. Under most circumstances, vendors are prohibited from entering patient care areas within the hospitals and health centers including Emergency Department, the Operating Rooms, Medical Procedures Unit, Cardiac Study Unit, patient care units, outpatient clinics, clinic staff rooms, waiting rooms, and hallways, Pharmacy dispensing areas and the Materiel Services warehouse. An **exception** to this is a situation in which a vendor is required for training on new equipment or devices already purchased by U-M, setting up such equipment, or similar activities associated with a contractually agreed-to business purpose associated with new technology or devices. These cases must be approved by the appropriate director/chair/division or service chief and are subject to the confidentiality protections in the contract language and the Business Associate Agreement.
3. Vendors are not permitted in the House Officer Lounge. Vendors may leave a message with the appropriate department in order to arrange an appointment with a House Officer. Vendors may meet with House Officers in public areas such as the cafeteria.
4. Vendors are prohibited from attending any conference where patient-specific information or quality assurance activities are being discussed (see Confidentiality).
5. Vendors shall only use elevators designed for visitor use.
6. Vendors may not use the UMHHC *email or paging* systems to contact faculty or staff unless specifically requested by the faculty or staff member.

7. Vendors are not to place (or ask staff to place) information in mailboxes of any UMHHC faculty or staff unless specifically requested by the individual faculty or staff).

Food and Beverages

1. Food or drink may not be provided directly by vendors.

Displays

1. Vendors are not permitted to display products or product information within UMHHC, Towsley Center, or other Medical School areas generally.
2. Vendors are not permitted to display products or product information during symposia, conferences, or other UMHS/UMMS-sponsored on-premises educational events. Exceptions to this prohibition are limited to patient-centric events and non-clinical care events for researchers and basic scientists:
 - Patient-centric events held for the purpose of educating patients about preventative care products and services that may advance a patient's adherence to treatment protocols and follow-up care plans.
 - Non-clinical care events for the purpose of educating researchers and basic scientists about innovative products and services available in the marketplace to support and nurture research, scholarship, and creative activity across UMHHC.
 - In all cases, UMHS/UMMS-sponsored educational events must allow for a reasonable sampling of vendor products and services to avoid the appearance of vendor and product favoritism.

Promotional Activities

1. Cash or other incentive programs are strictly prohibited at the UMHHC.
2. No personal gifts of any kind from vendors to faculty or staff are permitted.
3. Vendors are not permitted to distribute, post, or leave any type of printed or handwritten material, advertisements, signs, or other such promotional materials anywhere on the UMHHC premises. Unsolicited materials may not be provided to clinicians; any promotional or informational material provided by a vendor must be explicitly requested by faculty or staff.
4. Distribution of vendor patient educational material that may be useful to our patients should be left at the appropriate department. Either the department or the Patient Education Oversight Committee must review all educational information before it is distributed to patients or families. Vendors are strictly prohibited from providing educational material of any type directly to patients or from leaving them in areas accessible to patients.
5. Only pricing/cost information that has been approved by Michigan Medicine Contracts and Procurement may be discussed with clinicians. **Absolutely, no contracts may be presented to clinical staff; all contracts must be routed through Contracts and Procurement.**
6. Raffles, lotteries, or contests that provide the winner with gifts of any value are not permitted.

7. Promotion of drugs against UMHHC restrictions, drug utilization guidelines, or clinical guidelines/initiatives is prohibited. Non-formulary drugs or drugs not on the UMHS/FGP Preferred Drug List may only be discussed if the pharmaceutical vendor fully discloses this status to the UMHS faculty physician or staff member. Pharmaceutical vendors who do discuss such agents without an appropriate disclosure will be immediately suspended from visiting UMHHC sites pending review of the event.
8. Pre-printed prescription pads may not be distributed by pharmaceutical sales representatives.

Samples

1. Samples are controlled by [UMHHC Policy 07-01-045 Drug Sample and Voucher/Co-Pay Policy for UMHHC](#)

Educational Programs

1. UMMS-sponsored Continuing Medical Educational (CME) activities are prohibited from accepting financial funding (e.g., grant, gift, subsidy, or exhibit fee) from commercial entities that produce, market, resell, or distribute health care goods or services consumed by, or used on, patients or biomedical research subjects. See the UMMS policy, [Industry Funding for Professional and Continuing Education](#).
2. UMHS/UMMS-sponsored hands-on training programs (non-CME) pertaining to medically necessary or FDA-mandated education may accept external sponsorship (gifts-in-kind only) provided that department approval is obtained and provided that program content and program integrity remains the responsibility of the sponsoring department/unit. Vendors are prohibited from acting as presenters at approved hands-on training events.
3. UMHS-sponsored staff educational activities are prohibited from accepting financial funding (e.g., grant, gift, subsidy, or exhibit fee) from commercial entities that produce, market, resell, or distribute health care goods or services consumed by, or used on, patients or biomedical research subjects without department/unit approval.
 - o Content and the integrity of the educational program, as well as selection of presenters, is the responsibility of the sponsoring unit's education program director with general oversight by the unit's department head.
 - o Vendors shall not present at staff educational events. The single exception to this rule is for a vendor to present on novel processes or devices, in which case department head approval is required.
 - o Vendors are prohibited from promoting or marketing products during any part of the staff educational event. However, vendor support may be equally and generally acknowledged. See product exception for patient-centric events, "Display" section within this policy.
 - o Discussions about or presentations on specific and identifiable patient information is prohibited without signed and documented patient consent. See "Confidentiality" section below.

Grants/Gifts

1. No personal gifts of any kind from vendors to faculty or staff are permitted.

	<ol style="list-style-type: none"> 2. Textbooks and items of educational value may be provided to the institution if approved by the department chair/director and if consistent with UMHS and Medical School policies. 3. Vendor representatives may not give to individuals or the institution any promotional gifts (such a pens, pads, etc.) featuring product names. All gifts to the institution must be consistent with UMHS and Medical School policies concerning conflicts of interest.
Confidentiality	<ol style="list-style-type: none"> 1. Vendors shall <u>not</u> attend programs in which specific patients are discussed or when quality assurance or risk management issues are presented. 2. Preceptorship programs (programs for the education of pharmaceutical representatives) involving contact with, discussion of, or observation of individual patients, are prohibited unless approved in advance by the Office of Clinical Affairs and the Health System Attorney's Office.
Responsibility	<p><u>Departments and Staff</u> All UMHHC departments and staff are responsible for assuring that vendors interacting with our organization comply with this policy. Non-compliant vendors are to be immediately reported to the manager of Contracts and Procurement (734-763-9877) or the Compliance Hotline (1-888-990-0111).</p> <p><u>Security</u> Security may, at any time, request to inspect a vendor's identification badge. Vendors without proper identification badges will be escorted to the appropriate vendor check-in area. Uncooperative vendors or those in violation of UMHHC policies may be escorted off the premises.</p>
Compliance	<ol style="list-style-type: none"> 1. The manager of Michigan Medicine Contracts and Procurement shall thoroughly investigate any reported violations of this policy. 2. Vendors who fail to comply with UMHHC requirements are subject to losing their business privileges at the UMHHC. The UMHHC reserves the right to restrict the representative and the company they represent from UMHHC property. 3. The Manager of Michigan Medicine Contracts and Procurement will determine the appropriate disciplinary action in conjunction with the appropriate parties such as the departmental directors and/or chairs of the Pharmacy and Therapeutics and the Ambulatory Formulary Committee. 4. UMHHC faculty and staff found not to be in compliance or supportive of this policy will be reported to their supervisor for action. Depending on the severity of the situation, discipline up to and including discharge may be warranted. 5. The Manager of Michigan Medicine Contracts and Procurement will report all disciplinary action to the Office of Clinical Affairs, the Chief Operating Officer, and the Directors of Security, Pharmacy, and Materiel Services.

V. EXHIBITS

Exhibit A: UMHHC Policy 07-01-045 Drug Sample and Voucher/Co-Pay Policy for UMHHC

Exhibit B: Frequently Asked Questions - Personal Gifts from Vendors, Patients, or Patient Family Members

Exhibit C: UMHS Policy 04-06-064 Health Care Industry Representatives in UMHHC Operative/Procedural

VI. REFERENCES

1. Council on Ethical and Judicial Affairs of the American Medical Association, Gifts to Physicians from industry. JAMA 1991;265:501.
2. Council on Ethical and Judicial Affairs of the American Medical Association, Report on Gifts to Physicians from Industry (Report G, 1-90), Chicago, IL:American Medical Association, 1990.
3. Council on Ethical and Judicial Affairs of the American Medical Association, Annotated Guidelines on Gifts to Physicians from Industry, Chicago, IL: American Medical Association, 1991.
4. Gifts to physicians from industry: Opinion 8.061, Chicago, IL: American Medical Association, 1998.
5. Clarification of gifts to physicians from industry, Addendum II, Opinion 8.061, Chicago, IL: American Medical Association, 2000.
6. Zarowitz BJ, Muma B, Coggan P, Davis G, Barkley GL. Managing the pharmaceutical industry-health system interface. Ann Pharmacother 2001;35:1661-8.
7. Coyle SL, for the Ethics and Human Rights Committee, American College of Physicians-American Society of Internal Medicine. Physician-industry relations. Part 1: Individual physicians. Ann Intern Med 2002;136:369-402.
8. Coyle SL, for the Ethics and Human Rights Committee, American College of Physicians-American Society of Internal Medicine. Physician-industry relations. Part 2: Organizational issues. Ann Intern Med 2002;136:403-406.
9. PhRMA Code on interactions with healthcare professionals. www.PhRMA.org.

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Director and Chief Executive Officer, UMHHC, March 25, 2003; February 23, 2005

Policy reviewed and non-substantive revisions made by the UMHS Compliance Office - February 1, 2015

Policy reviewed and non-substantive revisions made by the Michigan Medicine Corporate Compliance Office - March 6, 2018

Non-substantive revisions (delete former Exhibit B, "Frequently Asked Questions-Vendor Visitation and interaction) - made by Michigan Medicine Corporate Compliance Office - March 26, 2018. No leadership approval required.