

The Burke Rehabilitation Hospital
DEPARTMENT OF GRADUATE MEDICAL EDUCATION
Institutional Vendor Policy

Scope:

Applies to all Medical Vendor Representatives, Burke associates, medical staff and trainees throughout Burke's delivery system. Interactions with non-patient care vendors are covered exclusively under the Burke Rehabilitation Hospital Conflict of Interest Policy.

Policy Statement:

The purpose of this policy is to ensure that the best interest of the patient is the principal factor in any decisions to use pharmaceuticals, medical equipment and devices or clinical services in patient care. Circumstances in which commerce and care planning coexist are ethically challenging. At times care providers are involved in the development or marketing of a product and will derive benefit from its use. This may create a conflict of interest that is precluded by medical codes of conduct and by standards of medical professionalism. Furthermore, the acceptance of gifts—even very small gifts—may also create conflict of interest, because of relationships and sense of obligation these gifts engender. Choices of marketed products present opportunities to meet the needs of the patients with the most recent and appropriate technology. But the uncritical acceptance of promotional material may lead providers to overlook data about less innovative and less profitable products that may be as good or better for the patient. This policy is designed to assist physicians and other care providers in balancing potential influences with benefits, including knowledge of new treatments and devices, by providing guidance for the conduct of medical vendor representatives.

Definitions:

Medical Vendor Representatives (MVRs): Defined as vendors' representatives from pharmaceutical companies, manufacturers and distributors of medical device and durable medical equipment, nursing home and home health vendors, and other patient care vendors.

1. All Medical Vendor Representatives must be approved and pre-registered prior to seeking access to any Burke Rehabilitation Site. Access is sought on a per visit basis or as a standing appointment for a specific period of time, at the discretion of the specific clinical or administrative department and as approved as follows:
 - a. Any MVR seeking access should complete the New Vendor Registration Form (www.burke.org) and submit to the appropriate department indicated below:
 - i. Pharmaceutical Vendors: The Pharmacy Department is responsible for screening and approval of all pharmaceutical representatives; 1. Pharmacy Sales Representatives are not permitted on Burke premises, unless to meet with the Director of Pharmacy or Designee. Pharmaceutical Scientific Liaisons, or other similar position whose specific job responsibilities explicitly prohibit the detailing of medications, may be permitted to have access to Burke with appropriate approval.
 - ii. Medical Device Vendors: The Purchasing Department will screen and approve medical device representatives;
 - iii. Other: Other patient care vendors not explicitly covered above are obligated to comply with the policy and procedures for vendor registration.
 - b. The above departments are responsible for ensuring that the Medical Vendor Representatives receive a copy of the application package, including but not limited to this policy and procedure, and that they sign an attestation that they have read and will abide by the conditions outlined. MVRs are responsible for signing and submitting the online registration form to the appropriate department and for reviewing the attached vendor policy.
 - c. Copies of the approved applications are provided to the MVR and to the Burke Security Department via fax for processing.
 - d. If the application is not approved, the authorized department indicates on the form and faxes to Security.
 - e. If approved, MVRs must present to Security at 785 Mamaroneck Road (Alexander Building) with a copy of the signed access form to receive their vendor identification badge.
 - f. In no circumstance is the expiration date of the badge to exceed one year from date of issuance.

VENDOR ACCESS AND AUTHORIZATION:

1. MVRs are only authorized to enter into:

Burke Rehabilitation Hospital
785 Mamaroneck Avenue
Building 7
White Plains, New York 10605

1. MVRs are not permitted in any patient care area, including waiting rooms, inpatient units or faculty practice sites, unless to provide in-service training on devices or other equipment and then, only by appointment and with the appropriate approval.

2. MVRs may not loiter in common hospital areas, such as lobbies, cafeterias, etc, for the purpose of initiating unsolicited contact with health care professionals and detailing products. Under no circumstances may MVRs initiate contact with residents or medical students on Burke premises.

3a. Access to patient information: a. MVRs will not be permitted access to any patient information, clinical data or billing information. Burke associates and medical staff shall not provide such information to MVRs. In the event that provision of such information is required for patient care reasons, patient consent to release information to the MVRs shall be sought in all instances and a business associate's agreement may be required.

b. Proprietary information related to prescribing practices, product consumption or prices may not be provided to MVRs except by individuals authorized by Burke Rehabilitation Hospital to negotiate contracts.

VENDOR OBLIGATIONS AND AUTHORIZED ACTIVITIES:

1. MVRs are required to wear their ID at all times when on Burke premises. They must also wear a Photo ID issued by their employer. MVRs will be issued a one day visitor badge from security to be on Burke premises. Each time a MVR has an appointment at Burke they will receive a visitor badge for that day. ***In some cases MVR's will be given a visitor ID badge that will expire one year from the date of issue. MVRs are required to return their visitor ID badge to Security in the event they leave their job or they no longer require access to Burke premises for any reason.***

2. Authorized MVRs are only permitted to discuss drugs available through the Burke Rehabilitation Hospital Formulary. Distribution of literature or promotional materials for non-formulary products to the house staff or the Hospital community at large is prohibited. Authorized MVRs may, however, discuss non-formulary products with healthcare professionals during office appointments arranged in advance, provided, however, that all promotional literature and materials being detailed are first provided to and approved by the Department of Pharmacy prior to any discussions.

3. New drugs for consideration by the Pharmacy & Therapeutics (P&T) Committee shall be discussed with the Director of Pharmacy Services or designee. The Director of Pharmacy may then schedule a discussion of the new drug for addition to the Formulary on the agenda of the P&T Committee meeting after completion of the application process. No statement may be made to any health care professional as to the availability of a product/medication at Burke Rehabilitation Hospital until such time as it has been approved by the Pharmacy and Therapeutics committee.

4. Sample medications and/or devices are not permitted at all and may not be distributed or left in any area within Burke Rehabilitation Hospital. In rare circumstances, a sample may be permitted if approved by the Director of Pharmacy or other authorized party.

5. MVRs are not permitted to solicit business via displays or organize gatherings of the professional staff for the purpose of presenting their products; nor may a representative post any brochures, notices, or promotional material in any part of Burke Rehabilitation Hospital. Appropriately scheduled in-services or educational programs, such as for approved devices, must be coordinated and approved by the departmental supervisor.

6. No food shall be provided by a MVR at any educational program offered at Burke Rehabilitation Hospital.

7. No gifts or inducements of any kind, even of nominal value, may be distributed by Medical Vendors Representatives on Burke premises. Examples of banned items include pens, stick pads, mouse pads, conversion charts or food or meals of any kind, even in connection with an educational program.
8. Patient education materials produced by vendors may be used provided they have been reviewed and approved by the DIO or the Residency Program Director of Burke Rehabilitation Hospital.
9. Off-sites activities arranged specifically for clinical or administrative departments that are sponsored or otherwise supported by MVRs, such as educational lunches or dinners for Burke medical staff, housestaff or associates, also are not permitted.
10. No expenses for travel or attendance at lectures or conferences of any type may be provided by MVRs.
11. Medical Vendor Representatives seeking to contribute to continuing education may do so by coordinating through the Office of Continuing Medical Education. Those seeking to provide grant money for trials should coordinate through the IRB Department.

VIOLATIONS:

Burke associates and medical staff that observe vendor representatives violating this policy and procedure should notify the Office of Compliance. Violations of this policy by MVRs will result in disciplinary action, up to and including suspension or termination of access privileges at Burke. In the event violations occur, appropriate notice will be sent to the MVR's employer. Burke associates and medical staff violating the terms of this policy also may be subject to disciplinary action, including warning, suspension or discharge.

Annotation:

The Burke Rehabilitation Hospital serves as the ACGME-accredited Institutional Sponsor for the PM&R residency program. As required by the ACGME, the Committee on Graduate Medical Education of the Burke Rehabilitation Hospital has established written policies pertaining to the academic aspects of GME. Residents are the employees of Burke Rehabilitation Hospital. Responsibility for all employment-related decisions remains the sole responsibility of Burke Rehabilitation Hospital