

Consulting Management Committee
University-wide Request for Action #8 – Surveys

Date: September 4, 2008

Submitted by: Scott Wetstone, Director of the UCHC Faculty Consulting Office

Description of Issue

From time to time faculty members are asked to participate in surveys for which they are offered compensation. Such surveys may be administered via paper, computer and/or interviews (face to face, phone, or video conferencing.) Often, only the general topic of the survey is provided to the faculty member and the specific questions are unknown until the survey is being taken.

The University's Policy on Consulting for Faculty and Members of AAUP Collective Bargaining unit requires that consulting contribute to faculty development. While answering questions related to the faculty member's expert opinion may well address this criteria, other questions, such as "how can we best advise our representatives how to sell to doctors", might not address this requirement unless that faculty member's academic expertise is marketing, psychology or similar field.

In addition, the State Code of Ethics prohibits consulting if the State employee obtains the invitation to consult based on his/her State position. In cases in which the contracting entity is interested in answers to questions that only a State employee could reasonably expect to know, such as "how many of cases of X did UCHC have last year", appear to violate the Code since only a UCHC faculty member would be likely to answer such a question.

My question related to the faculty's role in participating in surveys is:

- 1) How can faculty requests to participate in surveys be approved in advance without knowledge of what questions might be asked in such surveys?

Previous Opinion(s) of the Office of State Ethics

None that we are aware of.

Discussion

The content of any survey may be unknown at the time of approving a consulting activity. Therefore, the request to consult must be denied or we must rely on an alternative method to ensure the consulting activity complies with the State Code of Ethics and University Policy. The latter can only take place as the questions become known, that is, when the questions are actually asked of the faculty member.

Recommendations:

- 1) When a faculty member requests to participate in a survey that on the face appears to be related to his/her professional expertise, such a request may be approved if the faculty member provides a written promise to:
 - a) refuse to answer questions that are not related to his/her professional expertise. (An exception to this would be demographic information about the faculty member.)
 - b) refuse to answer questions that could only be answered by an employee of the University.
 - c) notify the Director of Faculty Development if there was a need to refuse to answer questions and provide a brief description as to the number of such questions and the reasons for refusal.
- 2) When a faculty member requests to participate in a survey that does not appear to be related to his/her professional expertise, such requests should be denied.

CMC Response

On September 18, 2008, the Consulting Management Committee unanimously approved the recommendations as written above.

Model of a Written Promise (per recommendation 1)

1) Name: _____

2) Contracting entity: _____

I have requested approval to consult with the above mentioned contracting entity. I will be compensated for providing answers to questions asked by paper, by computer (web-based, email, etc.), or through direct interview (in-person, by phone, by videoconference, etc.).

I understand that there are certain questions that I may not respond to as a State employee who is participating in consulting. These are:

1) Questions not related to my professional areas of expertise.

Examples (this is not a comprehensive list):

- Advice on how best to sell products to physicians, unless I teach and/or do research on marketing, psychology or similar academic field related to marketing.
- My opinion on products and services not related to my professional life.
- My opinion on candidates or political issues.

2) Questions that could only be answered by an employee of the University or other agency of the State of Connecticut.

Examples (this is not a comprehensive list):

- "How many cases of Hepatitis C does the Health Center see in a year?"
- "What is the Health Center's policy on accepting new patients?"
- "What is the University's policy for admitting engineering students?"
- "Who sits on the Hospital's formulary committee?"
- "What is your reimbursement rate for hip implants?"

If my request to consult is approved, I promise not to answer the types of questions listed above. Further, I promise to alert the Director of the Faculty Consulting Office within 2 weeks as to the number and nature of such questions I refuse to answer.

Signature

Date