

THE UNIVERSITY OF CONNECTICUT CONSULTING PROGRAM FY 2014 ANNUAL REPORT

SUMMARY

FY 14 (July 1, 2013 – June 30, 2014) represented the sixth full year of operation of the University's consulting program that was implemented in mid FY '08¹. The policies, procedures, and staffing of the Faculty Consulting Offices remained materially the same throughout the year.

This was the first full year of relative stability for the on-line faculty consulting approval system (OFCAS-2) as well. Several new features were added to this system that have facilitated the approval process and enhanced the quality of data it collects and maintains.

Unfortunately, it was learned that OFCAS-2 had to be rewritten due to our inability to continue to support it with the current Quali workflow engine. Therefore, a significant effort was expended in the second half of FY 14 to this end. The new system, OFCAS-3, became operational on September 15, 2014, and to date it has performed well. A full report on OFCAS-3 will be provided in our FY 15 annual report.

The Faculty Consulting Offices have begun to work far more closely with the Technology Transfer and Commercialization Office regarding consulting activities with University and faculty start-up companies. An "Entrepreneurial Conflict of Interest" Committee is under development by the Office of the Vice President for Research.

As mandated by legislation, the Faculty Consulting Oversight Committee (including a member of the Citizen's Ethics Advisory Board and members appointed by the Legislature) filed its fifth annual report with the UConn Board of Trustees and to the Legislature in the spring of 2014. This was a positive report. The Oversight Committee continues to monitor all audit reports related to the program and will issue its sixth report in the winter of 2015.

CONSULTING MANAGEMENT COMMITTEE

The Consulting Management Committee (CMC) did not need to make any significant revisions to its previous decisions on consulting but did discuss nuances regarding promotional presentations. It continued to review the audit reports and monitor the implementation of management plans.

It also endorsed a revision to the processing of activities eligible for accelerated approval which have a very low risk for conflicts of interest. Such activities only required department head level approval, but copies of these consulting requests still needed to be sent to both the deans and provost's designees for their review. The revised procedure (which was implemented with OFCAS-3), no longer forwards such requests to the deans and provost's designees. Based on the recommendation of the Faculty Consulting

¹ A full description of the origins of this new system was provided in the FY 08 Annual Report of the University's Consulting Program. This program was established in response to CGS 1-84(r) and the University's Policy on faculty consulting (see <http://consulting.uconn.edu/index.html>)

Oversight Committee, a random sample of such request forms will be selected for review on a quarterly basis by the Faculty Consulting Offices in order to determine whether this change will have any negative impacts (i.e. whether further review of these requests would have identified problems early enough in the approval process to avoid non-compliance with the Consulting Policy.) The first such audit will take place in January 2015.

PERFORMANCE NUMBERS: STORRS+ CAMPUS

The Faculty Consulting Office (FCO) on the Storrs Campus received 1,117 consulting forms from 460 individuals or 33.4 % of those eligible to consult² (Table 1). Of these, 1109 were approved (99% of the total) and 8 (< 1%) were denied. In FY13, the FCO received 1,125 requests from 443 individuals with 98.2% approved and 1.8% denied.

All data were analyzed using the information submitted on the FY14 Annual Reconciliation Report. Reconciliation reports were received from all individuals who engaged in consulting activities and who remained on the payroll when reconciliation reports were due. Nine individuals (20 requests) left employment with UConn-Storrs+ and did not complete a report.

Of the 1,109 approved activities, 1,012 occurred (91%) and 77 (7 %) were not performed. The remaining 20 (2%) requests were not reconciled by employees who left UConn employment. There were 460 individual faculty members who performed at least one consulting activity during the fiscal year. Throughout the fiscal year, 28 requests were withdrawn, and 17 requests were cancelled; these requests were excluded from the count of requests received.

The mean amount of time spent consulting during normal work time was 3.62 days. Of these, 5 faculty member reported reaching the Provost's recommended maximum of an average of one day per week during normal work hours (39 days for a nine month appointment).

Thirty-eight (38) faculty members (8 % of those who consulted) indicated on their reconciliation reports that they used more time during the normal work hours than originally estimated (Table 2). The maximum number of additional days was 25 with a mean of 2.32 days.

PERFORMANCE NUMBERS: UCONN HEALTH CAMPUS

The FCO on the UConn Health campus received 713 consulting requests from 182 individuals (Table 3). Of these, 692 were approved (97.1% of the total) and 21 (2.9%) were denied. In FY 13 the FCO received 693 requests from 171 individuals with 96.8% approved and 3.2% denied.

Reconciliation reports were received on time from all those who engaged in consulting activities and who remained on the payroll when reconciliation reports were due. Several individuals left employment with UCHC and therefore 22 activities did not have reconciliation reports.

Of the 670 approved activities, 580 occurred and were reconciled (86.6%). There were 167 unique faculty members who performed at least one consulting activity during the fiscal year. The mean

² The total number eligible faculty was obtained from the UConn 2013 Fact Sheet.

amount of time spent consulting during normal work time was 1.3 days. The maximum was 30 normal work days.

Seven faculty members indicated on their reconciliation reports that they used more time during the normal work hours than originally estimated (Table 4). Four of these reported using no more than one additional day and three more indicating no more than 2 additional days. The department heads will be notified of any unapproved time of more than one day (i.e. for three of the faculty) with a copy also sent to the faculty member.

AUDIT FINDINGS

By State statute, the consulting program must be audited by the Office of Audit, Compliance and Ethics. The original audit schedule was for two a year, but starting in FY 13 the requirement was revised to one audit each year.

The ninth audit, covering the period of time from July 1, 2012 - June 30, 2013 (FY 13) was issued on September 29, 2014. The auditors' overall conclusions were that the University is in compliance with CGS 1-84(r) and the University's Policy on Consulting. The auditors also concluded that the FY 13 Annual Report of the Faculty Consulting Office was materially correct.

The auditors noted a number of problems with the reports automatically created by OFCAS-2. As referenced above, many of the problems with OFCAS-2 were corrected during its first year of operation (FY 13) and the operation of this system (including the quality of the data it records) is significantly improved in FY 14.

The auditors also recommended that year-to-date reports be provided to the departments chairs concerning their faculty's consulting activities as well as reminders to the chairs and faculty to document that permission was given to consult on specific days/times when that faculty member would normally be expected to be at work. Such reports have been issued at UConn Health for the first quarter of FY 15 and similar reports are expected to be issued by the rest of the University later in the fall.

The auditors also raised concerns about a small number of faculty members who appear to have consulted during the summer while being paid 100% to be working on research grants. Each of these faculty and their department heads were contacted, some refuted the claims, and steps were taken to remind decision makers that full-time summer employed faculty must document they have allocated full-time to such work (i.e. and no effort has been diverted for consulting.)

OPEN PAYMENTS

Last year, the Oversight Committee recommended that UConn Health develop an approach for addressing the Open Payments program mandated by the Federal Affordable Care Act. This program requires medical/dental device manufacturers and pharmaceutical companies to report payments made to certain healthcare providers (including physicians and dentists) to the Center for Medicare and Medicaid Services (CMS.) CMS would then post such data on a public website (which occurred for the first time on September 30, 2014.)

UConn Health appointed an Open Payments Advisory Committee led by Dr. Scott Wetstone, who is also the director of the UConn Health faculty consulting office. They instituted an awareness campaign regarding Open Payments which included on-line training. All faculty have been encouraged to participate in the data review and dispute period to ensure the reported data is accurate. A communications program, including talking points, was developed regarding how to respond to the media, patients, or others making inquiries about the data.

Details concerning the response to CMS's launching of its public website will be included in the FY 15 report of the Faculty Consulting Program.

ISSUES FOR FY '15

- Implementation of OFCAS-3, the newest version of the on-line faculty consulting approval system.
- Continuing the development of UConn Health's response to Open Payments.
- Continuing the development of the Entrepreneurial Conflict of Interest committee.
- Addressing all previously raised and new audit findings

S. Reis
S. Wetstone
October 31, 2014

Table 1 – Storrs Requests to Consult

Requests	Total	ATHL	BUS	CANR	CLAS	ED	ENG	FA	LAW	NURS	PHARM	SW	Other
#	1117	21	72	66	338	227	68	81	24	56	125	24	15
%	100%	1.88%	6.45%	5.91%	30.26%	20.32%	6.09%	7.25%	2.15%	5.01%	11.19%	2.15%	1.34%

Unique Faculty	Total	ATHL	BUS	CANR	CLAS	ED	ENG	FA	LAW	NURS	PHARM	SW	Other
#	460	7	32	32	161	68	38	32	14	23	34	11	8
%	100%	1.52%	6.96%	6.96%	35.00%	14.78%	8.26%	6.96%	3.04%	5.00%	7.39%	2.39%	1.74%

Requests/faculty	Total	ATHL	BUS	CANR	CLAS	ED	ENG	FA	LAW	NURS	PHARM	SW	Other
mean	2.41	3.00	2.25	2.06	2.10	3.34	1.79	2.53	1.71	2.43	3.68	2.18	1.88
10 or more requests	12	-	1	-	2	3	-	1	-	1	3	1	-

DEFINITIONS:

*STORRS CAMPUS: includes Storrs and Regional campuses, School of Social Work and School of Law

SCHOOL/COLLEGE/UNIT

ATHL	Athletics		
BUS	Business	LAW	School of Law
CANR	Agriculture and Natural Resources	NURS	Nursing
CLAS	Liberal Arts & Sciences	PHARM	Pharmacy
ED	Education	SW	School of Social Work
ENG	Engineering	OTHER	Center for Continuing Studies; Ctr Under Grd Ed;
FA	Fine Arts		Library; OMIA; Prov & Exvp Acad Affairs, Vice President for Research

Table 2 – Storrs Reconciliation Report Variances for Time During Normal Work Hours

Effort During Normal Work Days	
# with extra days	38
% of faculty with extra days	(8%)
min	0.25
max	25.0

Table 3 – UCHC Requests to Consult

Requests	Total	SoDM	SoM
#	713	92	621
%		12.9%	87.1%
Individual faculty	Total	SoDM	SoM
#	182	33	149
%		18.1%	81.9%
Requests/faculty	Total	SoDM	SoM
mean	3.9	2.8	4.2
median	2.0	2.0	2.0
10 or more requests	18	2	16

Table 4 – UCHC Reconciliation Report Variances for Time During Normal Work Hours

Effort During Normal Work Days	
# with extra days	7
% of faculty with extra days	(4.2%)
min	0.5
max	2.0