

THE UNIVERSITY OF CONNECTICUT CONSULTING PROGRAM FY 2016 ANNUAL REPORT

SUMMARY

FY 16 (July 1, 2015 – June 30, 2016) represented the eighth full year of operation of the University's consulting program that was implemented in mid FY 08. The policies and procedures remained materially the same throughout the year.

FY 16 represents the first year of full operation through the third version of the Online Faculty Consulting Approval System (OFCAS-3). UITs moved OFCAS-3 to a new server during FY 16 to improve performance and reliability, and OFCAS-3 was unavailable during the Storrs Campus' spring break. Emergency requests were processed manually, and then submitted through OFCAS-3 upon availability. The Faculty Consulting Offices worked closely with UITs during the server transition and subsequent testing. The UConn Health Faculty Consulting Office experienced staffing changes, which stabilized toward the end of FY 16.

The Faculty Consulting Offices continue to maintain close working relationships with the Office of the Vice President for Research and the Office of Research Compliance.

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 seventh annual report with the UConn Board of Trustees and to the Legislature in the winter of 2016. This was a positive report. The Oversight Committee continues to monitor all audit reports related to the program and will issue its seventh report in the winter of 2017.

CONSULTING MANAGEMENT COMMITTEE

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

PERFORMANCE NUMBERS: STORRS+ CAMPUS

The Faculty Consulting Office (FCO) on the Storrs Campus received 1,037 consulting forms from 446 individuals or 29.4 % of those eligible to consult¹ (Table 1). Of these, 1,001 were approved (96.5% of the total), 8 (< 1%) were denied, and 28 were withdrawn (2.7%). In FY 14, the FCO received 1,104 requests from 457 individuals with 98% approved and 2% denied.

All data were analyzed using the information submitted on the FY16 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. Twelve individuals (27 requests) left employment with UConn-Storrs+ and did not complete a report.

¹ The total number eligible faculty was obtained from the UConn 2015 Fact Sheet.

Of the 1,001 approved activities, 900 occurred (90%) and 74 (7 %) were not performed. The remaining 27 (3%) requests were not reconciled, due to employees who left UConn employment. There were 446 individual faculty members who performed at least one consulting activity during the fiscal year. The Storrs+ FCO issued first-offense verbal or written sanctions to 5 faculty members. Of these, four of the “offenses” were for late submissions, unanticipated compensation, or misinterpretation of the consulting policy; all of these requests would have been approved if submitted on time. An additional letter was issued to a faculty member for engaging in activities following denial from the department head. There were no known cases of other non-compliance with the consulting policy.

The mean amount of time spent consulting during normal work time was 2.74 days. Of these, 12 faculty members reported reaching or exceeding the Provost’s recommended maximum of an average of one day per week during normal work hours (39 days for a nine month appointment), although 3 of the 12 faculty’s reconciliation comments indicated unorthodox or incorrect counting methods, resulting in totals exceeding the recommended maximum. Twenty-nine faculty members (6.5 % of those who consulted) indicated on their reconciliation reports (32 unique activities) that they used more time during the normal work hours than originally estimated (Table 2). The maximum number of additional days was 15 with a mean of 2.56 days.

PERFORMANCE NUMBERS: UCHC CAMPUS

The FCO on the UCHC Campus received 763 consulting requests from 191 individuals (Table 3). Of these, 701 were approved (91.9% of the total), 51 (6.7%) were withdrawn or system errors, and 11 (1.4%) were denied. In FY 15 the FCO received 767 requests from 171 individuals with 87.5% approved and 2.9% 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 18 approved activities did not have reconciliation reports.

Of the 701 approved activities, 626 occurred and were reconciled (89.3%). There were 177 unique faculty members who performed at least one consulting activity during the fiscal year. The mean amount of time spend consulting normal work time per faculty member was 4.8 days with a maximum of 48.0 days and a median of 2.0 days.

Two faculty members indicated on their reconciliation reports that they used more time during the normal work hours than originally estimated (Table 4). Both of these reported using no more than one additional day. In accordance with the University’s posted policy, the UConn Health FCO issued four sanctions letters for “occurrences,” which are defined as consulting requests that were denied because they were submitted late, but would have been approved if they had been submitted on time. There were no known cases of other non-compliance with the consulting policy.

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 eleventh audit, covering the period of time from July 1, 2014 - June 30, 2015 (FY 15) was issued on September 16, 2016. 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 15 Annual Report of the Faculty Consulting Office was materially correct.

The auditors recommended that the Faculty Consulting Offices update the *Sanctions for Non-Compliance with the University's Consulting Policy and Procedures*, add functionality to OFCAS to remind faculty to resubmit consulting requests for multi-year, ongoing activities.

The auditors raised concerns regarding the process used by faculty to obtain prior permission for each specific day used for consulting during 'normal work time.' Such specific days are not always known at the time a consulting request is submitted. In response to this concern, quarterly reports on consulting activities highlighting the use of normal work time were developed and disseminated to deans and department heads. In addition, at UConn Health personalized emails are sent to faculty with heavy use of normal work time (as defined by more than 5 days), and remind them of their need to obtain permission for the use of specific normal work days and to maintain these written approvals for potential future audits.

The auditors raised concerns regarding the manner in which faculty report their level of compensation when consulting. The consulting request form has been revised accordingly in order to include more information about the level of compensation. In addition, at UConn Health, a clinical conflict of interest committee has been convened to manage perceptions of clinical conflicts of interest on an on-going basis,

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.

OPEN PAYMENTS

The Open Payments program mandated by the Federal Affordable Care Act has completed its third cycle including the public release in June 2016 of payment information for CY 15. 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). The current Open Payments web site is extremely easy to use. To date, media inquiries regarding UConn Health faculty have lead to two informational articles. The strong collaboration between the Communications Office and the FCO appears to continue to be successful in explaining how the faculty consulting program and its oversight mechanisms vigorously monitor and mange possible conflicts of interest.

ISSUES FOR FY 17

- Addressing all previously raised and new audit findings.

S. Reis
S. Wetstone
October 14, 2016

Table 1 – Storrs Requests to Consult

Requests	Total	ATHL	BUS	CAHNR	CLAS	ED	ENG	FA	LAW	NURS	PHARM	SW	Other
#	1037	18	40	98	286	136	95	101	34	35	120	8	66
%	100%	1.74%	3.86%	9.45%	27.58%	13.11%	9.16%	9.74%	3.28%	3.38%	11.57%	0.77%	6.36%
Unique Faculty													
Unique Faculty	Total	ATHL	BUS	CAHNR	CLAS	ED	ENG	FA	LAW	NURS	PHARM	SW	Other
#	446	11	30	38	144	47	58	30	17	20	29	5	17
%	100%	2%	7%	9%	32%	11%	13%	7%	4%	4%	7%	1%	4%
Requests/faculty													
Requests/faculty	Total	ATHL	BUS	CAHNR	CLAS	ED	ENG	FA	LAW	NURS	PHARM	SW	Other
mean	2.40	1.64	1.33	2.58	1.99	2.89	1.64	3.37	2.00	1.75	4.14	1.60	3.88
10 or more requests	10	0	0	2	2	1	0	2	0	0	2	0	1

“Other” includes faculty affiliated with the Provost’s Office and the Vice President for Research, including five UConn Health employees.

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

Effort During Normal Work Days	
# of requests with extra days	32
% of faculty with extra days	(4.3%)
min	0.25
max	15.0

Table 3 – UCHC Requests to Consult

Requests	Total	SoDM	SoM
#	763	138	625
%		18.0%	82.0%
Individual faculty	Total	SoDM	SoM
#	191	41	150
%		21.5%	78.5%
Requests/faculty	Total	SoDM	SoM
mean	4.0	3.4	4.2
median	2.0	2.0	2.0
10 or more requests	12	2	10

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

Effort During Normal Work Days	
# with extra days	2
% of faculty with extra days	(1.2%)
min	0.2
max	0.5