

Consulting Management Committee
Minutes: October 16, 2008

Attendees

Members: M. Aindow (chair), H. Frank, J. Hepworth (Chair), A.J. Pappanikou, R. Rubin, and T. Van Hoof.
Staff: S. Wetstone

The meeting was convened at 2:22 pm.

- 1) Minutes of the meeting of October 2 was approved unanimously.
- 2) UCHC request for action #7 – special rules for ad hoc purchasing committee

R. Rubin has not yet received a written opinion from the Office of State Ethics.

- 3) Request from Dr. Bruder

Dr. Bruder has decided not to hire the employee in question and therefore she no longer needs a CMC decision on the matter.

- 4) Policy and Guidelines on Interactions between the University of Connecticut School of Medicine and the Biomedical Industry

The Committee began a detailed discussion of the proposed policy and during this discussion it became clear that there was a major misunderstanding concerning the scope of the policy. While elements of the policy address faculty in their roles as consultants, the policy itself apparently was intended only to address the behavior of employees while acting in their official capacities as employees. With this as the Committee's understanding it recommended the following:

a) The policy should clearly state its scope upfront. Section 4.D. should not be included in the body of the document since it deals with situations in which the person is not acting as a State employee. Instead, it could be moved to where the scope is defined.

b) Item 1 should be revised from "Gifts and Compensation" to "Gifts and Compensation to the State".

c) The first sentence following "Statement of Policy" should be amended from "Interactions with industry should be conducted so as to avoid conflicts of interest" to "Interactions with industry should be conducted either to avoid conflicts of interest or to employ appropriate plans for effectively managing such conflicts of interest."

- 5) Consulting During the Summer

Mr. Marth made a presentation to the Board of Trustees last June in which he asked that the consulting policy not apply to faculty during the summer. The President's Office has determined that faculty are considered employees all year round whether or not they are receiving supplemental compensation for summer teaching, research or other duties.

The President's Office, with the involvement of the Faculty Consulting Offices, has developed a proposal that would allow pre-approval of a designated subset of consulting activities. Pre-approval means that activity is assumed to be approved prior to the submission of paperwork or having authorization signatures on such paperwork. This pre-approval would provide for significant flexibility in engaging in consulting without the need to complete what could be a lengthy prior-approval process. Paperwork describing the activity would have to be submitted after the fact in order to ensure such activity was appropriate for the pre-approval process.

The proposal includes caps for the level of compensation for a single activity as well as for the sum of all activities carried out during the summer. R. Rubin will distribute the current version of the proposal to the committee and indicate whether it has been finalized yet.

7) Consulting Related to Sabbatical Leaves

Faculty on sabbatical leaves are State employees and often have a portion of their salaries paid by the hosting institution. This could be considered consulting. At UCHC, the financial details of sabbatical leaves are known when the Board of Directors approves such arrangements and further approval under the consulting policy seems redundant. Such information on compensation is not always known at the time Storrs+ faculty received Board of Trustees approval for their sabbatical leaves.

Faculty on sabbatical leaves can engage in more traditional consulting so long as they comply with the Consulting Policy and Procedures.

8) Provost's Policy banning faculty from consulting that involves teaching in credit granting courses.

This policy is operational. However, the definition of "credit granting" is unclear (i.e. does it apply the AMA Category I CME credit hours or similar designations, certificates, and/or other educational sessions)? It is also unclear whether this ban should apply in situations in which the University would not want to host such a course itself, or whether it would want to host such a course but the target audience is highly unlikely to come to UConn to attend a UConn-hosted course.

The CMC considered communicating its concerns about the policy to the Provost directly. However, H. Frank told the committee that in his role at CLAS, he intended to raise similar issues with the Provost and all agreed that would suffice.

9) Audit Report – The results of the recent audit with management's responses will be distributed to the CMC once they are submitted to the Office of Audit, Compliance and Ethics.

10) Tentative Agenda for the next meeting:

- a) Audit results
- b) Rules for recusal
- c) Consulting for part-time faculty members.

The committee adjourned at 3:28 pm.