

Consulting Management Committee
Minutes: September 18, 2008

Attendees

Members: M. Aindow, H. Frank, J. Hepworth, A.J. Pappanikou, R. Rubin and T. Van Hoof
Staff: I. Krisst and S. Wetstone

The meeting was convened at 2:18 pm.

- 1) Minutes of the meeting of July 17, 2008 And September 4, 2008 – approved unanimously.
- 2) UCHC request for action #7 – special rules for ad hoc purchasing committee

R. Rubin brought the committee up to day on a recent ruling by the OSE regarding the nature of the carve-out. This issue dealt with the faculty's ability to hire other employees/students into their private businesses. By inference, the benefits of the carve-out would therefore apply to the proposed purchasing committee processes (i.e. we have jurisdiction over the matter.)

Rachel has asked for an OSE staff opinion on this matter and their first response appears favorable, but we still need to see the final, official opinion. Based on this outcome she will complete the "Previous Opinion(s) of the Office of State Ethics" section of the request for action document.

S. Wetstone will inform the Director of Purchasing that the CMC is likely to approve this request for action at its next meeting and he should therefore be prepared at that time to request the formation of the first ad hoc purchasing committee.

The committee added a 4th recommendation to the request for action as follows: "The Faculty Consulting Office (FCO) will keep a list of the memberships of all active special ad hoc purchasing committees. If any faculty member on such an active committee submits a request to consult with a contracting entity that might benefit from the decisions of such special ad hoc purchasing committee, then the FCO will notify the chair of such committee of this request."

- 4) UCHC request for action #8 – surveys (paper, electronic or interviews)

Minor modifications were made to the request document and "Model of A Written Promise". This request will apply both to UCHC and Storrs. The request was then approved unanimously.

- 5) UCHC request for action #9: "Promotional meetings"

Since the CMC's last meeting, S. Wetstone formally documented this issue in a request for action document. A discussion was held as to the ethics of physicians participating in this type of activity.

A clarification was made that the **definition** of consulting does not include that it contribute to a faculty member's professional development. However, this criterion (i.e. that the consulting activity contributes to the professional development of a faculty member), is required for the **approval** of requests to consult. The training sessions and materials offered by both FCOs will have to be revised accordingly since both present it as part of the definition.

An email from N Adams was sent to the members of the Committee regarding her view that there are no University rules prohibiting this type of activity and that the CME does not have the authority to ban such activities. However, given the previous opinion of the staff of the OSE that anyone who writes prescriptions cannot consult for a company they write prescriptions for or their competitors, we do appear to have the jurisdiction to not approve such consulting (i.e. if such an activity is not approved under the University's Consulting Policy, it is clearly banned by the OSE who would then have jurisdiction over it.). The OSE opinion on this will be added to the formal request for action document.

The committee modified recommendation #2 to remove any appeal process.

If approved, this decision would likely result in some faculty members losing the opportunity to participate in lucrative activities and it seems likely that they will object. Therefore, any recommendation from the CMC will clearly have to be vetted with the Provost and VP for Health Affairs before being implemented. There may need to be a period of notification in order to build awareness and/or training as to the University's position on this issue.

The committee unanimously approved this request for action.

6) Tentative Agenda for the next meeting:

- a) Request for action #7 – special ad hoc purchasing committees
- b) Specific request(s) to establish special ad hoc purchasing committee (assuming request for action #7 is approved.)
- c) Consulting related to summer employment
- d) Consulting while on sabbatic leaves.
- e) Policy banning faculty from consulting that involves teaching in credit granting courses.
- f) Consulting for part-time faculty members.

The committee adjourned at 3:33 pm.