

Consulting Management Committee
July 23, 2010

Attendees

Members: M. Aindow (Co-chair), J. Hepworth (Co-chair), A. DeBlas and T. Van Hoof.
Staff: N. Bull, S. Wetstone, E. Passan

The meeting was convened at 11:00 AM and the minutes of the 6/21/10 meeting were approved.

1. Audit Report –
 - a. The focus of the report seems to be on faculty competing with the University. Recommendation 3.3 stated “The Office of the Provost should provide clear guidance to department heads and deans regarding what constitutes conflict of interest and competition with the University ...” Managements Responses #3.3: Management agrees with the recommendation and will provide training.
 - b. More UCHC than Storrs faculty consult with “for profit” companies. We need to be aware of this trend and perform due diligence.
 - c. Next audit covering 7/1-12/31/09 will start soon.
2. Action #9 – Promotional Presentations

The discussion that began at the last meeting was continued. As written, action #9 addresses two concerns: a) is the presentation ‘promotional’ in that it’s purpose is to promote the use of a commercial product or service (i.e. does it appear to be marketing), and b) does the faculty member have sufficient control of the content of the presentation in order for it to contribute “to the continued development of the faculty member’s professional expertise or academic reputation” (as required by paragraph 5b.v. of the BoT Policy on Consulting.)

When a faculty member is asked to provide an educational presentation based on his/her professional expertise and/or prominence in his or her field, the rules for consulting apply. One consideration whether the activity would address the need for continued development of the faculty member’s expertise or academic reputation would be whether it would be considered as positively when SAPC’s are considering promotion decisions.

The discussion focused on the issue related to the degree control of content should drive the decision whether an activity be done within carve out?

The Committee had previously met regarding a UCHC faculty member who had submitted a request where the slide presentation was controlled by the contracting entity, Y University, through an unrestricted grant from a pharmaceutical company. Because Dr. X did not have significant control over creation or modification of the presentation/content, the Committee voted to deny his request. In this case, the faculty member had to use slides prepared by University Y, but could choose which slides to use and the order of the slides. In addition, the faculty member could ask that up to five slides be revised, and then University Y would decide whether to approve these revisions.

A Storrs faculty member requested approval for his presentation to be video-taped by a pharmaceutical company while attending a conference. The faculty member did not know how the video would then be used. The action was not resolved and the request was withdrawn.

The Consulting Policy states that consulting activities must promote a faculty members expertise or enhance their academic reputation. The committee believes consulting is based on professional expertise and provides rational that presentations are the responsibility of the faculty member and therefore content and results cannot be limited by the consulting entity. The faculty member's involvement in the educational presentation must add significant value and the educational materials must represent his/her professional views and opinions as well as representing state-of-the-art information and best practices. Limitations on changing the content of the slides and to add one's own slides are not acceptable.

The Committee asked Dr. Wetstone to review Action # 9 and bring it back for review at the next meeting. He asked that the Committee consider creating an appeals process for decisions made under any changes made to Action #9.

The Committee took note of the fact that the slides related to Dr. X had the name of University Y University on all the slides. While a final decision was not made, a concern was raised that the use of such slides might in fact be 'promoting' University Y as a CME provider and therefore may not be appropriate.

The committee adjourned at 11:40 AM.

Next meeting to be held on Friday, September 3 at 10 AM

Respectfully submitted by:
E. Passan