

Policy on Interactions with Vendors and Other Commercial Entities

∨ I. Introduction

Read Vendor and Other Commercial Entities Policy Introduction (</sites/mssm/default/about/faculty-resources/handbook/institutional/vendors/introduction>)

∨ II. Gifts

Learn about Vendor and Other Commercial Entities Gifts (</sites/mssm/default/about/faculty-resources/handbook/institutional/vendors/gifts>)

∨ III. Vendor Support for Health System Educational Events

Learn about Vendor Support for Health System Educational Events (</sites/mssm/default/about/faculty-resources/handbook/institutional/vendors/support-educational>)

∨ IV. Vendor Support for Off-Campus Educational Events

Learn about Vendor Support for Off-Campus Educational Events (</sites/mssm/default/about/faculty-resources/handbook/institutional/vendors/support-off-campus>)

✓ **V. Authorship**

Authorship on articles and scientific presentations must be in accordance with Mount Sinai's Responsibilities of Authors (</sites/mssm/default/about/faculty-resources/handbook/institutional/authorship>) and JAMA guidelines on authorship (<http://jamanetwork.com/journals/jama/pages/instructions-for-authors#SecAuthorshipCriteriaandContributions>). An author's role in content and contributions must be verifiable. Having one's own name appear as author of a document conceived, researched and written by others is unacceptable, e.g. an article prepared by industry for publication under an MSSM faculty member's name is not permitted.

✓ **VI. Purchasing Decisions**

Learn about Vendor and Other Commercial Entities Purchasing Decisions (</sites/mssm/default/about/faculty-resources/handbook/institutional/vendors/purchasing>)

✓ **VII. Pharmaceutical Samples**

Physicians and staff may not accept pharmaceutical samples for their own personal use or for distribution to patients or family members. Distributing sample drugs would place physicians in a drug dispensing role, subject to applicable laws and regulations.

There will be only two circumstances that warrant an exception to this prohibition:

- If there is a compelling medical necessity to treat an urgent condition, where immediate treatment prior to leaving the physician's office will alter the clinical outcome
- If there is a need to demonstrate appropriate use of a product

In these exceptional cases, the minimum possible sample should be given. Appropriate documentation of the medication dispensed or the device utilized must be entered in the patient's medical record.

✓ **VIII. Patient Referrals**

Mount Sinai physicians refer patients to outside companies for services such as home care, home nutritional support, direct pharmacy services, etc. These companies do not necessarily sell products or services to Mount Sinai or its physicians. However, they depend on Mount Sinai for their business through patient referrals, for which they bill the patients or carriers directly. Mount Sinai cannot accept gifts, e.g. equipment, research grants, salary support, etc, from these vendors in exchange for such referrals. Such gifts would constitute illegal kickbacks in violation of the Federal Anti-Kickback Statute. Any gifts or donations offered by these companies must be directed to Mount Sinai's Office of Development for review and approval to ensure compliance with all regulatory requirements.

✓ **IX. Consulting/Relationships with Outside Entities**

There is a potential for a conflict of interest in any business relationship between a member of the Mount Sinai faculty or staff and an outside company or organization. Relationships can take many forms, including: membership on boards of directors or scientific advisory boards; review/evaluation of efficacy of new products or devices for vendors; consulting with institutions on behalf of a vendor; expert witness testimony, etc.

Faculty and staff with decision-making authority for procuring specific products or services for Mount Sinai may not have an outside business relationship with a company that provides those products or services to the institution.

Full-time faculty must have all of their outside relationships reviewed and approved in accordance with the Policy on Financial Relationships with Outside Entities (</sites/mssm/default/about/faculty-resources/handbook/faculty/full-time>). This policy includes a description of time restrictions relating to arrangements with outside entities.

Members of the management staff must submit a written description of the arrangement, including estimated time required and remuneration, to the Chairman or Senior Vice President in charge of their department. Staff can only take time off from their regular duties if prearranged through the appropriate Chair or Senior Vice President.

✓ **X. Role of Development Office**

As a not-for-profit organization Mount Sinai may, through its Office of Development, solicit and accept charitable donations in furtherance of Mount Sinai's mission. In order to ensure compliance with federal and state laws regarding charitable donations, individual departments can partner with Development to solicit corporate contributions; departments should not, on their own, directly seek donations from vendors with which they do business.

Departments should consult with the Office of Development if questions arise concerning possible contributions from commercial entities.

Contact Us

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