

UNIVERSITY OF OTTAWA, FACULTY OF MEDICINE

Faculty of Medicine Policy on its Interactions with Industry

Effective date: September 2011; revision I: January 2013; Revision II: May 2018; Revision III: September 2023

1. PURPOSE

- 1.1 The purpose of this Policy is to establish the principles to guide interactions and relationships between the Faculty of Medicine (the “**Faculty**”), its Faculty Members, Faculty Staff and Learners with Industry to assure that such interactions or relationships result in optimal benefit to clinical care, education and research, and maintenance of the public trust in health care.

2. APPLICATION AND SCOPE

- 2.1 This Policy applies to Faculty Members, Faculty Staff and Learners of the Faculty of Medicine.
- 2.2 This Policy replaces any previous Faculty policies or statements about interactions between the Faculty and Industry.
- 2.3 This Policy covers the following:
- a) General principles
 - b) Gifts
 - c) Financial compensation
 - d) Industry Products
 - e) Access by Industry to Faculty Members, Faculty Staff, and Learners
 - f) Industry support
 - g) Disclosure of relationships with Industry
 - h) Reporting non-compliance of this Policy

3. DEFINITIONS

- 3.1 For the purposes of this Policy:
- a) **Conflict of Interest (COI)** refers to a circumstance that creates a **risk** that an individual’s professional judgement or actions regarding a **primary interest** (clinical, teaching, research, or administrative responsibilities) may be unduly influenced by a **secondary interest** (financial incentive, personal, political, or professional considerations). A conflict of interest

does not exist when the primary interest is purely personal such as a graduate student's work experience or potential job within industry. A Conflict of Interest can be actual, potential or perceived.

- b) **Faculty Member** refers to all unionized and non-unionized University academic staff with an academic appointment in the Faculty, including visiting professors, clinicians with academic appointments or administrative duties, and academic staff paid, in whole or in part, by another organization or working on a volunteer basis. For clarity, Faculty Members include, but are not limited to, members of APUO, scientists, clinicians with academic appointments whether paid or volunteer and clinicians with administrative appointments including Dean, Vice-Deans, Associate and Assistant Deans, Program Directors and Department Heads.
- c) **Faculty Program** refers to the academic program of study, course or training offered by the Faculty at the undergraduate, graduate, or postdoctoral, and continuing medical education levels and any Faculty research program or Faculty research activity.
- d) **Faculty Staff** refers to administrative or support staff employed by the University in a position within the Faculty who are not Faculty Members
- e) **Gift** refers to items of any value given by Industry to Faculty Members, Faculty Staff or Learners for which the item holds personal value or benefit to the recipient and there is no money paid or services rendered to Industry. This includes, but is not limited to, items such as cash, pens, notepads, textbooks, electronic media, food and meals, gift certificates, tickets, devices, Industry Products, travel, hotel accommodations, entertainment or financial compensation in exchange for something such as attending a meeting.
- f) **Industry** refers to health-related industries, which include, but are not limited to, manufacturers, developers, or suppliers of pharmaceuticals, therapeutics, medical devices and supplies, health care products and services, wellness and nutritional products and services, biotechnology, information technologies including software (such as for the management of patient data, records, and treatment), and products that may be understood as having a clinical or health benefit
- g) **Industry Product** refers to any product, agent, device, technology, service developed, manufactured, or supplied by Industry.
- h) **Industry Supported Conference or Activity** refers to any meeting, conference, session, seminar or other activity that is not a Faculty Program

or research and is supported by Industry regardless of the type and/or form of support by or from Industry, including but not limited to, financial support or the organization of or lecturing, moderating, hosting, demonstrations or training on Industry Products.

- i) **Learner** means an individual registered at the University in a Faculty Program, whether on a full-time or part-time basis or as a special student and whether at the undergraduate, graduate or postdoctoral level, including medical students, residents, fellows, and individuals participating in a Faculty Program on a temporary basis as part of an elective, continuing medical education or other Faculty Program.

4. GENERAL PRINCIPLES

4.1 The Faculty recognizes the following with respect to interactions with Industry:

- a) The Faculty's medical education and research activities may at times benefit from interactions with Industry in a manner that advances the use of the best available evidence, so that medical advances and new technologies become broadly and appropriately used.
- b) There can be positive developments resulting from interactions with Industry, including new drugs, devices and procedures which ultimately leads to the improved health of people in our community.
- c) Interactions with Industry can occur in a variety of contexts either on or off campus, including use of Industry Products; education of Learners; and research activities including scholarly publications.
- d) Faculty Members, Learners and Faculty Staff may or could have an interest in Industry that result from their University work or training (for example, commercialization of intellectual property, Learners hired to work in Industry).

4.2 While interactions with Industry can be beneficial,

- a) the Faculty's medical education and research activities should be free from actual influence or perceived influence created by improper relationships with Industry or by the receipt of Gifts; and
- b) these interactions must be ethical and avoid or mitigate Conflict of Interest situations that could lead to increased costs of healthcare, compromise patient safety, create bias, or affect the integrity of Faculty Programs, or

the reputation of the University, the Faculty, and its affiliated hospitals and research institutes.

- 4.3 The Faculty commits to providing awareness training to Faculty Members, Faculty Staff and Learners regarding proper interactions with Industry and encourages individual learning. The Faculty's Schools, Departments and Divisions should develop educational materials and methods regarding appropriate interactions with Industry relevant to Faculty Members, Faculty Staff and Learners.

5. GIFTS

- 5.1 Faculty Member, Faculty Staff or Learner must not accept a Gift from Industry regardless of the nature or value of the Gift.

6. FINANCIAL COMPENSATION

- 6.1 Faculty Members, Faculty Staff and Learners may accept financial compensation from Industry provided that such compensation is in exchange for specific tasks and deliverables commensurate with reasonable rates and is in accordance with a written agreement with Industry and does not result in a Conflict of Interest or otherwise contrary to University policies, procedures, collective agreements. Financial compensation must be disclosed annually (see Section 10.1). Appendix A attached to this Policy sets out guidelines on financial compensation from Industry for services provided by Faculty Members, Faculty Staff or Learners to Industry.

7. INDUSTRY PRODUCTS

- 7.1 Faculty Members, Faculty Staff and Learners must ensure that if they accept or use free samples of Industry Products, they must determine whether the use of such samples is appropriate to teaching, research and learning and dispense them on the basis of clinical evidence, their own clinical or professional judgment, and in accordance with the principles of professional integrity, with any policies and procedures of the healthcare or health research facility, as applicable.
- 7.2 If samples of Industry Product (for example, drugs and reagents) are used in medical research, the Faculty Member responsible for the research and/or the medical research lab must record and maintain appropriate records regarding the source and disposition of the samples. If samples of Industry Product are used or distributed in clinical practice or clinical medical research, the Faculty Member and Learner must follow the applicable policies and procedures of the College of Physicians and Surgeons of Ontario, relevant research ethics boards of the healthcare organization.

8. ACCESS BY INDUSTRY TO FACULTY MEMBERS, FACULTY STAFF AND LEARNERS

- 8.1 Faculty Members, Faculty Staff and Learners in the health care and/or health research facilities associated with the Faculty must abide by the policies and procedures established by such facilities and/or relevant provincial health authorities when meeting with Industry representatives.
- 8.2 Industry must not pay in exchange for giving Industry representatives access to medical education, clinical or research environments under any circumstance.
- 8.3 It is permissible for a Learner to interact with Industry representatives on or off University facilities provided they disclose it to and obtain approval in advance from their Faculty Member supervisor, the Learner has undertaken training on interactions with Industry and the interaction with Industry is otherwise in accordance with this Policy.

9. INDUSTRY SUPPORT

9.1 No Conflict of Interest

Industry support (in whatever form) for Faculty Programs, Faculty Members, Faculty Staff or Learners must be free of Conflict of Interest.

9.2 Financial support from Industry

- a) Financial support for Faculty Programs from Industry, if accepted by the Faculty, must be provided in the form of an education grant. Funds that are provided by educational groups or other entities that act as “intermediaries” for Industry (e.g., medical communications companies) must also be provided as education grants. Education grants from Industry can be used to cover Faculty expenses including, but not limited to, venue costs, speaker expenses and honoraria, modest food and beverages that are determined by the relevant Education Office within the Faculty to be important for the relevant Faculty Program.
- b) Financial support from Industry for Faculty Members, Faculty Staff, Learners or for a Faculty Program must not be made payable to a Faculty Member, Faculty Staff or Learner but rather, if accepted by the Faculty, must be made payable to the University of Ottawa and directed to the relevant Faculty Department, Division, office or Faculty Program and the University fund and cost centre associated with such Faculty Department, Division, office or Faculty Program.

- c) Financial support from Industry cannot be used to support Learners to attend conferences, events courses or other activities that create or could create a Conflict of Interest.
- d) In addition to the requirements in Sections 9.1, 9.2 a). b) and c), financial support from Industry to establish scholarships, bursaries, academic awards, or other financial aid for Learners must also comply with the following requirements:
 - 1) Industry does not set the selection criteria or decide who receives the financial support given by it. The relevant Faculty Department, Division, office, or Faculty Program must set the selection criteria and is the authority to select eligible Learner(s) for participation or for receipt of the financial support from Industry, unless there is another relevant University unit who is the authority to select.
 - 2) The presentation of the financial support from Industry for Learners must be made by a representative of the relevant Faculty Department, Division, office or Faculty Program or other relevant University authority and not by Industry;
 - 3) There is no implicit or explicit expectation that the recipient must provide something in return for receipt of the financial support from Industry.

9.3 Faculty Medical CPD Programs

- a) Funding or support from Industry for any of the medical continuing professional development programs of the Faculty and its clinical departments or units ("**Faculty Medical CPD Programs**") and any related agreements governing such funding or support require approval from the Faculty's Office of Continuing Professional Development ("**OCPD**") (for example, accreditation according to the policies and procedures of the Royal College of Physicians and Surgeons and/or the College of Family Physicians of Canada) and the budget for such Faculty CPD programs must be approved by OCPD).
- b) Faculty Medical CPD Program materials must have a statement acknowledging use of funding or support from Industry and have the relevant Industry name and logo (if any) but cannot contain the name(s) of Industry Product identify the name of the Industry. The content of Faculty Medical CPD Programs and their materials is determined solely by the planning group of the relevant Faculty Program and must be without any influence by Industry according to the National Standard for Support of

Accredited CPD of the Royal College of Physicians and Surgeons and/or the College of Family Physicians of Canada.

9.4 **Industry Supported Conference or Activity**

- a) Faculty Members, Faculty Staff, and Learners can participate in an Industry Supported Conference or Activity provided they abide by the following requirements:
- 1) Industry support as a sponsor is disclosed (for example, use of Industry logos in the materials or statements made about sponsorship);
 - 2) The content and funding of the Industry Supported Conference or Activity must be under the control of a physician, pharmacy or scientific society/organization;
 - 3) The speaker(s) of the Industry Supported Conference or Activity must provide a fair and balanced discussion of the current science and treatment options and must make clear that the content and comments reflect the individual views of the speaker(s) only;
 - 4) Compensation paid by the scientific society/organization responsible for Industry Supported Conference or Activity to a Faculty Member, Faculty Staff or Learner can be acceptable if such compensation represents a reimbursement of their reasonable travel expenses; is in exchange for services provided in connection with the Industry Supported Conference or Activity; and is not paid by Industry to the Faculty Member, Faculty Staff or Learner;
 - 5) If the Industry Supported Conference or Activity pertains to the evaluation of materials including but not limited to new Industry Products as part of a University procurement process (or a procurement process of a hospital or hospital research institute affiliated with the University), the Faculty Member, Faculty Staff or Learner can participate provided they follow the University's policies and procedures regarding procurement or those of the hospital or hospital research institute, as applicable to the procurement process;
 - 6) If the Industry Supported Conference or Activity involves training provided by Industry to Faculty Members, Faculty Staff or Learners on the use of Industry Products, the following applies:

- i) Faculty Member, Faculty Staff or Learner seeking to participate in such training must, in advance of their participation, provide reasonable justification to the relevant Faculty supervisor, administrator or to the head of the Faculty Department/Division, as applicable, that demonstrates a need for such training and obtain approval and commitment from such Faculty supervisor, administrator or head of the Faculty Department/Division to support such Industry Product and/or the evaluation, process or contract to acquire and maintain the Industry Product;
- ii) there is no other source or provider of such training on the Industry Product other than Industry.

9.5 Industry support for research activities

Research activities conducted by Faculty Members, Faculty Staff and Learners and any Industry support for such research activities must comply not only with this Policy but with relevant University policies and procedures as may be amended from time to time, including without limitation, the following:

- a) Policy 115 on the Responsible Conduct of Research, its Procedure 29-2 on Addressing Allegations of a Breach of Responsible Conduct of Research;
- b) Policy 29 Commercialization of Research-Derived Intellectual Property and any procedures established pursuant to it;
- c) Policy 48 Administration of Research Grants and Contracts and procedures established pursuant to it;
- d) Policy 70 Conflict of Interest, the University's Innovation and Support Services' "Guidelines on managing commercialization of university research and potential conflicts and any other University policies, procedures, guidelines or directives on disclosure and management of conflict of interest.

10. DISCLOSURE OF CONFLICT OF INTEREST

- 10.1 On an annual basis, Faculty Members, Faculty Staff and as applicable, Learners, must disclose, in writing, Conflict of Interest, if any, with Industry.

- a) Faculty Members must disclose to the chair or head of the Faculty Department or Division within which the Faculty Member holds an academic appointment. Faculty Members who are APUO members should disclose in their annual reports to the Dean.
 - b) Faculty Staff must disclose to their Faculty manager, supervisor or head of the unit.
 - c) Learners must disclose to Faculty Member responsible for the evaluation of their academic performance or their training.
 - d) As applicable, the Faculty Member, Faculty Staff or Learner must disclose to the hospital, hospital research institute or clinical setting within which they are engaged in teaching, research, learning or other activities in accordance with the policies of the hospital, hospital research institute or clinical setting.
- 10.2 Once a disclosure is made as referred to in 10.1, the situation should be assessed by the person to whom the disclosure was made who will ensure that such Conflict of Interest is or will be managed and addressed in accordance with the relevant policies, procedures of the University, the Faculty, the hospital, hospital research institute or clinical setting, as applicable.
- 10.3 Prior to any educational activity such as lectures, seminars or workshops or when supervising Learners, Faculty Members, Faculty Staff, and speakers must disclose to the Learners whether or not they have a Conflict of Interest or other relationship with Industry that is relevant to the educational activity and in such case, measures to address such Conflict of Interest or other relationship with Industry must be put in place to ensure the integrity of the educational activity is not negatively impacted.
- 10.4 Faculty Members, Faculty Staff and Learners are prohibited from publishing articles or presentations or producing other materials, in any form or media, under their names (ghost writing) that are written in whole or in part by Industry representatives. In scholarly publications, presentations or other materials with Industry, the contribution of each author or contributor must be clearly delineated and authors or contributors must disclose any Conflict of Interest in the publication, presentation or material, in accordance with the requirements of the International Committee of Medical Journal Editors (<http://www.icmje.org>).
- 10.5 Faculty Members, Faculty Staff and Learners having a direct role in making decisions on the procurement by the University of Industry Product must disclose any Conflict of Interest relevant to the procurement to the University

procurement staff responsible for the procurement process and in accordance with the University's procurement policies and procedures.

- 10.6 Faculty Members, Faculty Staff or Learners in a position of influence in an Industry or in a position with fiduciary responsibilities or financial interests in an Industry and is participating in the conduct of research activities with humans involving an Industry Product owned by or obligated to such Industry must disclose their Conflict of Interest in accordance with this Policy, the policies referred to in Section 9.5 of this Policy and any other relevant University policy or procedure but must also:
- a) disclose the Conflict of Interest to the research ethics board of the University and/or the hospital/institutional research ethics board relevant to the research and obtain their approval prior to engaging in or continuing to engage in the research activity; and
 - b) notify research participants of any fee or other benefit (financial or other) that is or will be due, payable or owed to the Faculty Member, Faculty Staff or Learner arising from the research.

11. REPORTING OF NON-COMPLIANCE

- 11.1 Faculty Members, Faculty Staff or Learners who are aware of or suspect that another Faculty Member, Faculty Staff or Learner is not complying with this Policy, they are expected to report the alleged non-compliance to the Faculty's Office of Professionalism. The report of alleged non-compliance will be treated as a professionalism concern under the Faculty's Policy on Professionalism and the processes set out in the Policy on Professionalism for addressing a professionalism concern will be apply subject to any other relevant University policies and procedures. If the report of alleged non-compliance of this Policy by a Faculty Member, Faculty Staff or Learner relates to research, the Faculty's Office of Professionalism should consult with the University's Office of Research Ethics to assess whether the University's Policy 115 Responsible Conduct of Research and Procedure 29-2 Addressing Allegations of a Breach of Responsible Conduct of Research apply.
- 11.2 Faculty Members, Faculty Staff or Learners who are aware of or suspect that Industry representatives are not respecting this Policy, they are expected to report it to the Faculty's Office of Professionalism who will ensure that such report is addressed and managed through progressive warnings and restrictions on access to Faculty Members, Faculty Staff, Learners and to the Faculty.

12. REVIEW AND AMENDMENTS

- 12.1 The Faculty’s Office of Professionalism (or such other Faculty office as the Dean may designate) will cause a review of this Policy every three (3) years.
- 12.2 Amendments to this Policy require the approval of Faculty’s Executive Leadership Team, the Faculty Council and the University Senate or its executive committee.

RELATED UNIVERSITY OF OTTAWA POLICIES AND PROCEDURES (as amended from time to time)

Policy 115, Procedure 29-2

Policy 48 and any procedures established pursuant to it

Policy 29 and any procedures established pursuant to it

Policy 70

Innovation Support Service “Guidelines on managing commercialization of university research and potential conflicts”

SOURCE DOCUMENTS:

Association of American Medical Colleges. “Industry Funding of Medical Education: Report of an AAMC Task Force” (April 2008; approved by AFMC 2009)

<https://www.aamc.org/download/482220/data/industryfundingofmedicaleducation.pdf>

Canadian Medical Association. “Guidelines for Physicians in Interactions with Industry” (2021)

<https://policybase.cma.ca/media/PolicyPDF/PD21-20.pdf>

College of Physicians and Surgeons of Ontario. Physicians’ Relationships with Industry: Practice, Education and Research 2014

<http://www.cpso.on.ca/Policies-Publications/Policy/Physicians-Relationships-with-Industry>

College of Physicians and Surgeons of Ontario. Prescribing Drugs 2012.

<https://www.cpso.on.ca/Physicians/Policies-Guidance/Policies/Prescribing-Drugs>

College of Family Physicians of Canada and Royal College of Physicians and Surgeons of Canada.

National Standard for Support of Accredited CPD Activities

<http://www.royalcollege.ca/rcsite/cpd/providers/tools-resources-accredited-cpd-providers/national-standard-accredited-cpd-activities-e>

The Ottawa Hospital

Corporate Policy and Procedure Manual, Policy No. ADM 00362, Respectful Behaviour in the Workplace. 2006/11/24/revision 2016/09/08.
<http://www.ottawahospital.on.ca/en/documents/2017/02/respectfulbehaviourintheworkplace.pdf/>

Corporate Policy and Procedure Manual, Policy No. 00365, Gifts. 2008/10/08/revision 2013/05/01.
<http://www.ottawahospital.on.ca/en/documents/2017/02/gifts.pdf/>

Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans 2022
https://ethics.gc.ca/eng/policy-politique_tcps2-eptc2_2018.html

SELECTED REFERENCES

1. Fleischman W, Agrawal S, King M, et al. Association between payments from manufacturers of pharmaceuticals to physicians and regional prescribing: cross sectional ecological study. *BMJ* 2016;354:i4189
2. Fickweiler F, Fickweiler W, Urbach E. Interactions between physicians and the pharmaceutical Industry generally and sales representatives specifically and their association with physicians' attitudes and prescribing habits: a systematic review. *BMJ Open* 2017; 7: e016408
3. DeJong C, Aguilar T, Tseng CW, Lin GA, Boscardin WJ, Dudley RA. Pharmaceutical industry-sponsored meals and physician prescribing patterns for medicare beneficiaries. *JAMA Intern Med* 2016 Aug 1;176(8):1114-1122
4. Lundh A, Lexchin J, Mintzes B, Schroll JB, Bero L. Industry sponsorship and research outcome. *Cochrane Database Syst Rev.* 2017 Feb 16;2:MR000033

APPENDIX A: Guidelines on financial compensation from Industry for services provided by Faculty Members, Faculty Staff or Learners to Industry

SECTION 1: Honoraria and expense reimbursement for Industry-sponsored continuing education

1.1 For speaking engagements that require overnight travel, the provided honoraria must not exceed \$3,000 per day plus reimbursement of reasonable out-of-pocket expenses documented with receipts. Exceptions would require prior written approval by the Vice Dean OCPD, VP Medical Affairs of the Health Care Facility, CEO or appropriate Director of the affiliated research institute, Department Head, or Division Head.

1.2 For speaking engagements that do not require overnight travel, the provided honoraria must not exceed \$1,500 per day plus reimbursement of reasonable out-of-pocket expenses documented with receipts.

1.3 For the development of enduring materials, the provided honoraria must not exceed \$1,500 per day plus reimbursement of reasonable out-of-pocket expenses documented with receipts.

1.4 For the review of enduring materials, the provided honoraria must not exceed \$1,000 per day plus reimbursement of reasonable out-of-pocket expenses documented with receipts.

1.5 Fees exceeding the above guideline must be approved in advance by the Department Head.

SECTION 2: Compensation for acting as a consultant to Industry

2.1 Compensation for consulting work must not exceed \$3,000 per day plus reimbursement of reasonable out-of-pocket expenses documented with receipts.

2.2 Fees exceeding the above guideline must be approved in advance by the Department Head.

SECTION 3: Compensation for work-related to Industry-sponsored research

3.1 Compensation to an investigator for administrative activities required to initiate a clinical research study (including budgeting, ethics submission, etc.) must not exceed \$1,500 per day.

3.2 Compensation for attendance at a clinical investigators' meeting must not exceed \$1,500 per day plus reimbursement of reasonable out-of-pocket expenses documented with receipts.

3.3 Payments for study-related procedures, examinations or follow-up visits required by protocol must not exceed the Ontario tariff for these services.

3.4 Payments for research-related services required for the conduct of a study not covered by Ontario Health tariffs (including letters, reports, etc.) must not exceed \$750 per patient per year enrolled in the study.

3.5 Fees exceeding or in addition to the above guideline must be approved in advance by the Department Head.

SECTION 4: Cumulative Total (or Total Annual) Compensation from Industry

4.1 Where a Faculty Member receives a total of more than \$10,000 for services to Industry during a calendar year, the Faculty Member must inform the Department Head of the total. This must be reported prior to completing the annual Conflict of Interest statement or annual reappointment review.

4.2 Where the total exceeds \$20,000 during a calendar year, the Faculty Member must also inform the Dean.

Committee Approval

Executive Leadership Team
Faculty Council
Executive Committee of the Senate

Date

September 8, 2023
September 12, 2023
January 30, 2024

