



Date: June 14, 2011

To: Penn Medicine Faculty
From: Glen N. Gaulton, Ph.D. *GG*
Executive Vice Dean and Chief Scientific Officer
Peter D. Quinn, D.M.D., M.D. *P D Q*
Vice Dean for Professional Services and Senior Vice President CPUP

Re: Conflict of Interest Related to Industry-Sponsored Speaking Engagements

The University recognizes the value to the institution and to our faculty and professional staff of engagement in appropriate extramural activities including those sponsored by industry. It is equally important to recognize that certain industry-sponsored activities are not appropriate for participation. **Key among our values, and matched expectations, is that Penn Medicine faculty and health care professionals may not present at programs designed either solely or in part for company promotional, sales or marketing purposes even if they retain control of the content.** Such activities, commonly referred to as "speakers bureaus", constitute a fundamental violation of our academic and care missions, responsibilities and integrity. Understanding that the distinction of what constitutes marketing as contrasted to academic expression may not always be clear-cut we provide herein guidance to the faculty and professionals on distinguishing among these activities.

The University appreciates the particular societal benefits and innovation that can result from productive collaborations between our physicians, researchers and professional staff and the pharmaceutical, biotech and medical device industries. To cite prime examples, many Penn Medicine faculty and professionals participate in Continuing Medical Education (CME) through professional societies and organizations. Similarly, the University expects that faculty will present their original research and scholarly observations at scientific and clinical symposia or related venues. The University also appreciates that some of these activities and events may be supported by industry contributions.

In this regard Penn Medicine has articulated its expectations of faculty and health care professionals to avoid or when appropriate to disclose and manage potential conflicts of interest. Included among these policies is the implementation of an on-line faculty *Annual Extramural Activity Report*, the requirement for advanced departmental/school approval of extramural consulting activities, and most recently, the public electronic posting of compensated extramural activities. Each of these efforts were designed to foster increased transparency in our academic and health care roles, to heighten public awareness of the potential benefits of such extramural activities and associations, and to protect the conduct and reputation of the faculty, health care professionals and University. To further our commitment to the integrity of clinical care HUP/CPUP established in 2006 *Guidelines for Interactions Between Healthcare Professionals and Industry* (Policy 9-27-06). In brief, this policy prohibited Penn Medicine faculty and professionals from participation in industry marketing activities. We write here to clarify the scope of this policy, to harmonize the intent with other school and University-based efforts, and to provide practical guidance on implementation.

As noted above Penn Medicine faculty and professionals are strongly encouraged to present their scholarly observations and original research at public and private venues. Examples of these include lectures, courses, meetings and/or symposia that may be organized by any number of organizations including professional societies or other less formal colleague associations, other institutions, or independent third parties which may include for-profit entities. Three overriding criteria should be applied by faculty and professionals as a guide to determine the appropriateness of participation in these events.

- The purpose of the event must be for open scholarly exchange and/or instruction. Events intended either solely or in part for company promotional, sales or marketing purposes are inappropriate, even when the faculty or professional retain control of the content.
- Regardless of the venue, the final content of all material presented must be controlled in full by the faculty or professional and presented as such.
- The event organizer must publicly acknowledge any contribution by a for-profit entity to conduct the event. Similarly, faculty and professionals must acknowledge extramural support for the conduct of clinical or basic research, or of relevant independent consulting roles at the onset of their presentation.

As a guide, any one of the following circumstances may reflect programs designed for company promotional, sales or marketing purposes. Penn Medicine faculty and professionals must consult with their department chair and/or the Office for Corporate Alliances prior to participation should any of these criteria lie in question: (Ph: 215-573-6102; Website: <http://www.med.upenn.edu/corporate/contactus.shtml>).

- A third party maintains a contractual right to dictate what the faculty member says, or where such an entity creates the slide set or other presentation materials, or retains final approval/edit rights as to the content.
- A for-profit entity controls the publicity related to the event, selects the individuals who may attend, or provides gifts or compensation to attendees.
- The program is not included as a component of a scholarly symposium or conference, standing institutional seminar, grand rounds or other educational course content of an academic institution, hospital, professional society or related group.
- Programs relevant to medical education that have not been accredited by the ACCME to offer Continuing Medical Education (CME) credit to participants.
- The speaker is not free to provide a fair and balanced assessment of therapeutic or research options and approaches, and to promote objective scientific and/or educational discourse.
- Financial support provided by the sponsoring entity is not fully and prominently disclosed to attendees.
- The sponsoring entity reserves the right to record (video or electronic) the presentation and use it for future purposes, including promotions, without permission from the participating faculty or health care professional and our institution.

We also recognize that while it is prohibited for a third party to dictate content, it may be appropriate for faculty and professionals to seek input on the content of a presentation from other parties, including for-profit entities. Examples include confirming facts, such as FDA-mandated rules for new device training or injunctions against the marketing of non-approved uses, or to determine whether proprietary information is disclosed in a presentation.

Once again, the sharing of scholarly results and open expression of academic opinions are a fundamental right, if not obligation, of our collective missions. However, these rights must be balanced with our responsibility to avoid misuse of this fundamental trust. Thank you for honoring this requirement.