

June 12, 2002

PHARMACEUTICAL SALES REPRESENTATIVES POLICY

1. **PURPOSE:** To delineate and define policies and procedures governing activities of pharmaceutical sales representatives in VISN 9 medical centers.
2. **POLICY:** It is the policy of VISN 9 medical centers to limit and monitor access to medical center facilities and staff by Pharmaceutical Sales Representatives for the purpose of industry representation.
3. **DEFINITION:** Pharmaceutical Sales Representative refers to anyone acting on behalf of a pharmaceutical manufacturer or its representative.
4. **RESPONSIBILITY:**
 - a. The VISN PBM is responsible for issuance/re-issuance of this policy.
 - b. It is the responsibility of each Medical Center Director to comply with the provisions of this policy.
 - c. It is the responsibility of each medical center employee to comply with the provisions of this policy and the “Standards of Ethical Conduct for Employees of the Executive Branch” (Standards). Employees are also responsible for knowing that the Standards generally, but particularly relevant to the items set out in this policy below, are applicable at all times and not just while in a duty status on VA premises.
5. **PROCEDURES:**
 - a. Pharmaceutical Sales Representatives are prohibited from visiting the medical center for any business-related purpose, except under the following conditions:
 - (1) When visits to the medical center by a Pharmaceutical Sales Representative have been authorized by Chief of Pharmacy, with Chief of Staff approval, for the purpose of coordinating the procurement or recall of a particular product, or obtaining technical or professional information, and an appointment has been scheduled.
 - (2) When required to coordinate activities involved with an investigational drug study approved by the Research Committee and relating to drug procurement, storage, record, or protocol review. Appointments must be scheduled for this purpose.
 - b. In order to minimize the potential for either conflict of interest or disruption of patient care activities, Pharmaceutical Sales Representatives must have a scheduled appointment prior to each specific visit.

- c. Appointments can be scheduled only at the request of a medical center staff member or other VA employee with Chief of Pharmacy concurrence and Chief of Staff approval. Unsolicited visits by Pharmaceutical Sales Representatives are not permitted. VISN 9 medical centers may implement more restrictive policies at their discretion.
- d. It is the responsibility of each VA employee to assure that appropriate authorization has been obtained from the Chief of Pharmacy, and Chief of Staff, prior to contact with Pharmaceutical Sales Representatives.
- e. Upon arrival at the medical center, Pharmaceutical Sales Representatives will report to Police & Security Service. Each representative will be given a visitor's badge that must be worn while in the medical center and returned upon departure.
- f. Pharmaceutical Sales Representatives are not permitted in any area other than Pharmacy Service, Supply Service, designated conference rooms, and other general public areas. Sales Representatives are restricted from all wards, clinics, and patient care areas.
- g. Individuals may not accept samples. Selective medication samples, i.e., Starter Packs for patient use will be left with the Chief, Pharmacy Service, for dispensing through the normal prescription process and in accordance with pertinent VA policies. Under no circumstance will drug samples be left with medical center staff for distribution to patients.
- h. Failure of Pharmaceutical Sales Representatives to comply with these provisions, or more restrictive medical center provisions, may result in suspension or revocation of all medical center visiting privileges.
- i. Medical center employees shall not directly or indirectly solicit or accept any gift, gratuity, favor, discount, entertainment, hospitality, loan, forbearance or anything of monetary value from a Pharmaceutical or other sales representative or other prohibited source as defined by the Standards, or given, regardless of the source, because of the employee's official position. Certain items are excluded from this prohibition and may be accepted. All employees are responsible for knowing what items may be accepted under the Standards or must seek ethics advice before accepting any item.
- j. Unsolicited donations for general staff education purposes can be accepted by the medical center in accordance with VA Regulations.
- k. The Standards prohibit vendor promotional training, which means training provided by any person for the purpose of promoting its products or services. Training provided by a contractor to facilitate use of products or services it furnishes under a government contract is not prohibited. Pharmaceutical Sales Representatives may provide information or education only on products included on the Medical Center Formulary and only in response to a request from Chief of Staff, Chief of Pharmacy, or Clinical Product Line Managers/Service Chief. For new drug products not yet reviewed by the VISN 9 Pharmacy Benefits Management Advisory Group, information or educational activities may only be provided following concurrence by the Chief, Pharmacy Service with approval from the Chief of Staff.

1. All educational activities must be scheduled through the appropriate Product Line Manager or Service Chief, with approval from the Chief of Staff. The Designated Agency Ethics Official has determined that VA employees may not accept free meals provided by sponsors of these activities without creating the appearance of using their official office for private gain. At VISN 9 facilities, no food or refreshments of any kind may be brought in or provided by the sponsors of these activities.

m. Educational displays by Pharmaceutical Sales Representatives will be allowed at the discretion of each medical center.

n. Dietary Product Company Representatives

(1) Prior to introducing or displaying new dietary supplements and nutritional products to the medical staff and/or other health care professionals, the representative must consult with Chief, Nutrition and Food Service, or designee, at the respective facility.

(2) All nutritional samples and supplies donated to the medical center for evaluation must be kept in Nutrition and Food Service for appropriate control.

(3) Since the clinical dietitians are responsible for the nutritional assessment of veteran beneficiaries and for planning their total nutritional care, they must be apprised of the formulation and purpose of all new dietary products.

6. REFERENCES:

- a. JAMA, January 30, 1991, Vol. 265, No. 4
- b. Comprehensive Accreditation Manual for Hospitals, JCAHO
- c. DVA Professional Services Manual, M-2, Part VII (Pharmacy Service) March, 1995

7. **AUTOMATIC REVIEW DATE:** June 2004

8. **FOLLOW-UP RESPONSIBILITY:** VISN 9 Pharmacy Benefits Manager.

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John Dandridge, Jr.
Network Director, VISN 9

Distribution:
VISN 9 ELC
VISN 9 Medical Center Directors
VISN 9 Chiefs of Staff
VISN 9 Pharmacy Chiefs
VISN 9 PBM Council