



State of New Jersey

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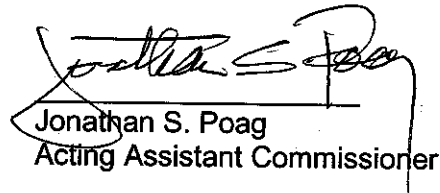
**DIVISION OF MENTAL HEALTH SERVICES
ADMINISTRATIVE BULLETIN TRANSMITTAL MEMORANDUM**

EFFECTIVE DATE: September 3, 2009

REVISED: January 6, 2010

**SUBJECT: Administrative Bulletin 4:25
Ethical Staff Interactions with the Pharmaceutical Industry**

The attached revised Administrative Bulletin is being forwarded for your review, action if necessary, and distribution to staff as appropriate. Please be advised that each recipient of this order is responsible for being familiar with the content and ensuring that all affected personnel adhere to it.


Jonathan S. Poag
Acting Assistant Commissioner

JSP:pjt

**DIVISION OF MENTAL HEALTH SERVICES
ADMINISTRATIVE BULLETIN 4:25**

Effective Date: September 3, 2009

Revised: January 6, 2010

SUBJECT: Ethical Staff Interactions with the Pharmaceutical Industry

I. Policy

A. Statement

As employees of the Department of Human Services, professional staff must adhere to the Uniform Ethics Code adopted by the State Ethics Commission and to A.O. 4:05, the Department of Human Services Code of Ethics, which contains restrictions on the receipt of anything of value from those who are "interested parties" such as pharmaceutical companies and their representatives. Such relationships imply a quid pro quo, which can affect the integrity of patient care decisions. While the pharmaceutical industry has had a role in providing medical education to physicians, these activities can have a promotional purpose and the information that they provide can be biased. This Bulletin shall ensure that staff-industry relationships in state psychiatric hospitals are consistent with the 2009 guidelines from the Institute of Medicine for avoiding conflicts of interest and undue influence of commercial interests (<http://content.nejm.org/cgi/content/full/NEJMp0810200>). It establishes a strict policy for the pharmaceutical sponsorship of Continuing Medical Education (CME) and for restricting interactions of staff with pharmaceutical representatives in state psychiatric hospitals.

B. Purpose

This policy shall establish requirements for on-site CME supported by commercial interests and for requiring that professional staff adhere to ethical requirements and avoid interactions with pharmaceutical representatives while on duty.

II. Procedure

A. Professional Staff Requirements

1. Professional staff members who wish to meet with pharmaceutical sales representatives may do so only at specified times and locations and only by arranging the meeting ahead of time and coordinating this with the office of the hospital's Medical/Clinical Director.

2. State employees are not allowed to receive gifts, meals, honorarium, or financial compensation of any kind, whether during their regular duty or outside of their work hours.
3. Hospitals may accept unrestricted grants for CME from pharmaceutical companies when it is arranged through third parties and adheres to all requirements of the Accreditation Council of Continuing Medical Education (ACCME) Standards for Commercial Support (www.accme.org). These must be arranged with the Medical/Clinical Director with the hospital's CME committee.
4. Professional staff attending pharmaceutical industry sponsored programs must submit an Attendance at Event Form to the Ethics Liaison Officer for approval. Professional staff may attend pre-arranged, on-campus CME activities without being required to complete these forms individually.
5. If professional staff desire food for CME activities or other training activities at the hospitals, they must themselves arrange to bring this food and pay for it.
6. Staff is required to report violations of this policy to the hospital's Medical/Clinical Director and the Ethics Liaison Officer. Staff is required to adhere to this policy and related ethics requirements as stated in A.O. 4:05.

B. Restrictions on Pharmaceutical Sales Representatives

1. Pharmaceutical sales representatives may meet with professional staff at the staff member's convenience during times and at locations designated by the facility. They must arrange an appointment with the staff member and sign in and out at the office of the Medical/Clinical Director when on grounds. Hospitals shall develop a list of staff who do not wish to be called upon by sales representatives
2. If pharmaceutical sales representatives request to arrange educational activities for professional staff, they must call the hospital's Medical/Clinical Director to schedule an appointment. Pharmaceutical sponsored in-service programs must be at the invitation of the facility and must have a content and purpose that is pre-approved by the hospitals' CME or training committees.
3. Pharmaceutical sales representatives shall enter the hospital grounds only if they have a scheduled appointment. They are prohibited from going into patient-occupied areas or buildings of the hospital, and they shall not be

allowed to meet with staff informally, except during arranged meetings or educational activities.

4. Pharmaceutical sales representatives may not discuss off-label uses of medications. All promotional materials must be identified as such and shall only be provided during individual meetings with staff, not during sponsored training, and these materials may not be left to distribute to other staff.
5. Pharmaceutical sales representatives shall not provide food, including snacks, or beverages, for any educational activities. No promotional materials shall be distributed during these activities.
6. Pharmaceutical sales representatives shall not be allowed to provide any medication samples or medication vouchers; such use or distribution is prohibited in these facilities.
7. Pharmaceutical sales representatives who violate this policy shall have their company supervisor contacted and may be barred from visiting the hospital campus or from having any contact with the facility.

C. Responsibilities of Hospital Administration

1. CEOs and Medical/Clinical Directors are responsible for compliance with this policy. They shall ensure that staff and pharmaceutical representatives that do business with staff are made aware of these restrictions.
2. Medical/Clinical Directors shall insure that CME events held at the hospitals and supported by unrestricted grants from the pharmaceutical industry shall meet all requirements of the Accreditation Council of Graduate Medical Education (ACGME).
3. The DMHS Medical Director shall be advised of violations of this bulletin.


Jonathan S. Poag
Acting Assistant Commissioner