



## Acceptability Criteria

### Acceptability Criteria for Outside Activities including Consulting

Acceptability criteria serve as guidance when relationships and activities outside OHSU could involve a potential conflict of interest or commitment with OHSU missions or a Member's OHSU roles and responsibilities. By OHSU policy, outside activities must be disclosed, discussed and, if necessary, managed or even disallowed.

OHSU's Conflict of Interest and Commitment policy serves to "establish requirements and set forth principles to guide OHSU Members and the institution in structuring relationships [outside OHSU] ... and to guide the management of real or perceived Conflicts of Interest and Conflicts of Commitment." Please review this [Conflict of Interest and Commitment policy](#).

### Outside activities and relationships are generally prohibited if they:

1. Interfere with the OHSU Member's academic, professional and institutional responsibilities.
  - a. This includes consideration of the time spent on all [outside activities](#) . A general guideline, for a full-time OHSU Member, is that these outside activities be limited to no more than one day in seven.
  - b. It is required that all outside activities be carried out in a way that does not confuse those activities with OHSU roles and responsibilities.
    - i. This includes consideration of when and where activities are conducted.
    - ii. Note that this requirement to keep outside activities separate and distinct becomes especially challenging when the outside activity involves interaction with the same personnel as those with whom the OHSU Member comes in contact while conducting OHSU-related activities.
2. Are in conflict with OHSU's missions.
3. Damage the reputation of OHSU or its Members.
4. Divert activities – educational, research, clinical, business – away from OHSU when they could potentially be conducted within OHSU.
  - a. An example: outside activities where an OHSU member proposes to take a consulting position to assist an organization that seeks to compete directly with an OHSU program. For example, a faculty member proposes to take a consulting position with a major academic medical center in the pacific northwest in a clinical area that competes directly with OHSU or a faculty member proposes to take a consulting position to assist a major university in its efforts to establish a campus that would compete with one of OHSU's comprehensive campuses.
5. Violate provisions of OHSU policies. Here are some examples:
  - a. [Code of Conduct](#)
  - b. Conflict of Interest and Commitment ([10-01-002](#))
  - c. Intellectual Property and Royalty Distribution ([04-50-001](#))
  - d. Authorship Attribution ([12-70-010](#))
  - e. Gifts policies. For example,
    - i. Accepting or arranging a charitable gift or contribution to OHSU or OHSU Foundation in return for a business relationship with OHSU.
    - ii. Violating the [Personal Gifts](#) policy, which limits the acceptance of compensated travel, food and lodging. See [FAQs](#) for Gifts; Educational Gifts; Entertainment; Food; Travel.
6. Involve the use of OHSU resources, including facilities, personnel, technology, the OHSU name and logo, or other OHSU resources unless appropriately approved, reimbursed, and compliant with OHSU policies. Note that certain allowances are made for incidental use of OHSU resources, as described in OHSU Policy [11-20-010](#).
  - a. In the context of the outside activity, it is not permissible to endorse a vendor's products or services on behalf of OHSU (Brand Integrity - Use of OHSU Name and Trademarks, Policy No. [08-25-001](#)).
7. Use one's OHSU role or position to solicit a charitable gift or contribution from:
  - a. An OHSU vendor (or other entity that has a business relationship with OHSU) for the benefit of a non-OHSU charity, not-for-profit organization, business, or other entity.
  - b. Any entity for the benefit of a non-OHSU health and science-related charity, not-for-profit organization, business, or from any other entity that competes with OHSU.
8. Involve oversight, management or negotiation of contracts between the outside entity and OHSU.

## Research Integrity Systems



## Helpful Links

[Approver's Guidance](#)  
[Integrity FAQs](#)  
[Policy & Guidance documents](#)

## Contact CoI

Phone: 503 494 8849, option 2  
Email: [coir@ohsu.edu](mailto:coir@ohsu.edu)



### [Sunshine Act](#)

Learn about the Sunshine Act (Open Payments) Timeline and review the [FAQ's](#)



### [Report a concern](#)

Submit a confidential, anonymous report 24/7.

a. For example:

- i. Negotiation of contracts between OHSU and the outside entity, whether for OHSU or the outside entity.
- ii. Oversight or management of programs at OHSU that involve the outside entity.
- iii. Please review the policy guidance [Involvement in purchasing decisions or fundraising](#).

9. Involves the pursuit of patents, licensing agreements, copyrights, or trademarks for intellectual property in which OHSU might have a legitimate interest.

### **Outside Activities involving Startup Companies – Additional Guidance**

- 10. Any activities for startup companies must be carried out in a way that does not confuse company activities with OHSU roles and responsibilities –including but not limited to research endeavors – and that does not have the potential to in any way adversely affect OHSU commitments.
- 11. Data and inventions developed using OHSU facilities, personnel, or other resources or resulting from the instructional, research, patient care or other missions and activities of OHSU belong to OHSU. Premature disclosure of research data generated at OHSU could cause the appearance of conflict of interest or loss of institutional intellectual property rights.
- 12. Please review [Additional requirements for activities with Startup companies](#).

### **Consulting as an Outside Activity – Additional Guidance**

- 13. Like other outside activities, consulting activities
  - a. Must be disclosed prospectively in the Conflict of Interest Disclosure system and be approved by the OHSU Member's supervisor.
  - b. Must meet all the acceptability criteria above.
  - c. May not include activities that are solely or primarily for commercial marketing purposes.
- 14. Consulting contracts/agreements between OHSU Members and outside entities are personal agreements to which OHSU is not party. It is the OHSU Member's responsibility to ensure that the contract:
  - a. Includes no more than fair market compensation and reimbursement for expenses (e.g., travel).
  - b. Includes the [Consulting Statement](#) recommended by OHSU's Technology Transfer and Business Development.
- 15. In some cases, the consulting work may be more appropriately conducted as an OHSU employee rather than as an outside activity. Guidance is provided in the [Outside Activity - Acceptability Criteria folder](#).

Supervisors and the Integrity Office serve as resources if questions arise.

### **Additional Note for Clinicians**

Physician-industry collaboration can produce important benefits for science and patient care. However, the goals of physicians, academic institutions, pharmaceutical and device manufacturers differ in some respects, creating the potential for conflicts of interest.

In some cases, payments to physicians by such companies go beyond what is justified for educational, scientific, or consulting services, and so may appear to influence their behavior to increase use of specific products.

Relations which are not based on appropriate services are inappropriate and may sometimes be illegal. Appropriate management of potential conflicts of interest is therefore an important part of professional medical practice.

### **Additional Resources for Clinicians**

[OHSU Clinical Compliance Plan](#)

[Medicare Fraud & Abuse: Prevent, Detect, Report](#)

[Excerpt from the Office of Inspector General \(OIG\) Physician Education on Medicare and Medicaid Fraud and Abuse](#)



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Change can't happen if we see things just one way.  
That's why diversity is so important to OHSU.