



University of Kentucky / UK HealthCare Policy and Procedure	Policy # A01-105
Title/Description: Product Sales Representatives	
Purpose: To establish guidelines that product sales representatives shall follow when promoting their products in UK HealthCare facilities or when requested to be present in a UK HealthCare operating room to provide technical support.	

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Policy

UK HealthCare shall comply with federal and state law and Joint Commission standards related to product sales representatives. Purchasing shall be the clearing area for non-pharmaceutical product sales representatives. Pharmacy Services Administration shall be the clearing area for pharmaceutical product sales representatives. A product sales representative may not enter a UK HealthCare operating room unless requested by a surgeon prior to the procedure. Non-compliance with UK HealthCare policies by a product sales representative may result in the loss of product sales representative privileges.

Procedure

Orientation

All product sales representatives shall complete a computer-based module orientation session during their initial visit to a UK HealthCare facility. This orientation session or computer-based module shall cover such topics as the rules for conducting business transactions with the University of Kentucky, privacy and safety issues, and other expectations of UK HealthCare.

Registration and Sign-In

Before their first visit or appointment, all pharmaceutical product sales representatives promoting their products at UK HealthCare facilities shall register with Pharmacy Services Administration. All other product sales representatives promoting their products at UK HealthCare facilities or providing technical support in a UK HealthCare operating room shall register with Purchasing. When registering, the product sales representative shall receive a packet of information that the product sales representative shall read and agree with in writing or via computer verification. The packet shall include UK HealthCare policies, University of Kentucky purchasing information, information regarding patient confidentiality and current immunization requirements, and agreements stating that the product sales representative shall adhere to Behavioral Standards, as well as to American Medical Association and Research & Manufactures of America guidelines. The documents signed by the product sales representatives shall be maintained electronically with Purchasing or with Pharmacy, as appropriate.

Except for emergency cases, for each visit product sales representatives shall sign in on-line with Purchasing or Pharmacy at least 24 hours before their scheduled meeting, stating their destination, the individual(s) with whom is meeting, and the time of sign-in. Failure to sign in shall be considered a violation of this policy. If a product sales representative arrives in a department without a badge, during normal business hours the product sales representative shall be walked to Purchasing or Pharmacy, whichever is appropriate, to sign in. After normal business hours, the product sales representative shall be walked to Security.

All product sales representatives shall be issued a permanent identification badge for appropriate access. The badge shall include the representative's name and company. Any falsification of this information shall be considered a violation of this policy. The badge shall be worn at all times while the representative is in a UK HealthCare facility. The badge shall be worn on the upper front torso and be visible. Failure to wear an identification badge shall be considered a violation of this policy.

Product sales representatives shall not enter any patient care or restricted area without an appointment to see a specific individual. Product sales representatives shall have an escort any time they are in such areas, and the attending physician who scheduled the appointment shall assume responsibility for the product sales representative's appropriate presence and performance while in the patient care area

Appointments

Routine product sales representative visits shall be made between the hours of 6:00 a.m. and 5:00 p.m., Monday through Friday and be scheduled in advance. If the product sales representative schedules an appointment outside these hours, the product sales representative shall sign in with Security.

Pharmaceutical Samples and Evaluations

UK HealthCare does not allow pharmaceutical samples to be given to inpatients. Any samples for outpatient clinics shall be handled pursuant to [C06-015, Pharmaceutical Sample Management](#). UK HealthCare does not allow product sales representatives to distribute prescription blanks and prescription duplicates to physicians.

Non-Drug Samples

All non-drug samples used in a patient care setting shall be registered with and approved by Value Analysis before use and a valid purchase order number shall be issued by Purchasing. All such products and equipment shall be FDA-approved or have Institutional Review Board (IRB) approval for clinical use.

Contract or Price Negotiation

Purchasing is the only department authorized by UK HealthCare to negotiate pricing or a contract with a product sales representative. Any price for supplies, services, or capital equipment negotiated without a Purchasing representative in attendance shall be rendered null and void, and shall be renegotiated by Purchasing. Purchase orders shall not be issued, nor is payment be made, for any new products or services without prior authorization from Purchasing. All new products to be used in the operating room shall be approved by the appropriate Value Analysis review committee prior to use in the operating room.

Employee Responsibility or Violations

Each UK HealthCare employee shall report violations of this policy to Purchasing or Pharmacy. Product sales representatives who violate the terms of this or any other UK HealthCare policy shall be issued a first warning. This warning shall be sent to the product sales representative's supervisor. A second violation may result in that product sales representative being banned from the hospital.

Product Sales Representatives in Perioperative Services

The following procedures shall be followed when a product sales representative provides technical support in a UK HealthCare operating room:

1. A surgeon shall request that the product sales representative be present to provide technical support at the time the case is booked.
2. The special consent signed by the patient pursuant to [A06-000, Consent to Treatment](#), shall include language that allows for the possible presence of a product sales representative.
3. The product sales representative shall read and sign the perioperative services orientation guide and sign-in. The representative shall also provide Purchasing with electronic documentation of annual TB screening, Hepatitis B, MMR, and varicella immunizations.
4. Product sales representatives shall wear proper attire in the operating room, which includes a red bouffant cap.
5. Product sales representatives shall remain with the designated patient at all times. Product sales representatives shall not visit other physicians within the operating room.
6. Product sales representatives shall not provide medical or patient care directly or indirectly. Product sales representatives shall not scrub in for the surgical case and, in general, they shall not open sterile supplies onto the field or touch the patient. Product sales representatives in the patient area to program implantable medical devices may open supplies or touch the patient only if necessary to program the implantable device.

7. Product sales representatives shall only be present in the operating room during the period of time in which the product is in use.
8. Any problems related to product sales representatives shall be reported to Purchasing and Operating Room Enterprise Administration.

Gifts, Gratuities, and Entertainment

Gifts, gratuities and entertainment offered by product sales representatives shall be governed by [A01-015, Code of Conduct Addendum](#).

Persons and Sites Affected	
<input checked="" type="checkbox"/> Enterprise <input type="checkbox"/> Chandler <input type="checkbox"/> Good Samaritan <input type="checkbox"/> Kentucky Children's <input type="checkbox"/> Ambulatory <input type="checkbox"/> Department	
Policies Replaced	
<input type="checkbox"/> Chandler HP <input type="checkbox"/> Good Samaritan <input type="checkbox"/> Kentucky Children's CH <input type="checkbox"/> Ambulatory KC <input type="checkbox"/> Other	
Effective Date: 07/2011	Review/Revision Dates: 02/13/2013
Approval by and date:	
Signature _____ Name Paul Reister, Review Team Leader	Date _____
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