TPMG physicians shall not engage in any activities which create, or appear to create, a conflict of interest, and which could

1. Adversely impact the independence and objectivity of their judgment in carrying out their responsibilities as a TPMG physician, or

2. Conflict with the interests of TPMG, the Kaiser Permanente Medical Care Program, or Kaiser Permanente members and patients, or

3. Create the appearance of impropriety from an ethical, legal or compliance perspective.

“Conflict of interest” means any personal relationships or interests, including financial interests, which interfere or have the potential to interfere with professional roles, responsibilities or judgments of TPMG physicians, and which place the interests of an individual physician ahead of the interests of TPMG and Kaiser Permanente.

**Competitor, Vendor and Supplier Relationships**

To protect the interests of Kaiser Permanente members and patients, TPMG, and the Kaiser Permanente Medical Care Program, the selection of drugs, devices, supplies, equipment and services for purchase, or inclusion in a formulary or Clinical Practice Guideline, must be based on sound clinical (quality, safety and effectiveness) and business (dependability, value, service, price) criteria. Relationships between TPMG physicians and Vendors, (including suppliers and commercial entities doing business with or seeking to do business with Kaiser Permanente) must be free of conflict of interest, or the appearance of conflict of interest.

Physicians and others with the ability to direct or influence the selection, purchase or utilization of goods or services by Kaiser Permanente must have a current, signed Conflict of Interest disclosure attesting that they or an immediate family member,

1. Have not received direct or indirect remuneration from a Vendor.

2. Have no financial interest in the Vendor or a competitor of the Vendor.

3. Vendor, in this section, refers to a Vendor whose products or services will be, or could be, considered for selection, purchase or utilization by a group on which the physician serves.

Should a conflict develop, physicians serving in these capacities shall disclose the conflicts, and recuse themselves from participating in purchasing decisions or deliberations related to the
selection, purchase or utilization of the products or services of the Vendor, or a competitor of the Vendor.

“Financial interest” means ownership interest in stocks, bonds, privately held companies, debt obligations, options, rights to buy or sell stock, shares in profits, investments, or other proprietary interests. “Financial interest” does not include ownership of mutual fund shares or stock holdings in a publicly traded company, provided the shares in the publicly traded company total 1% or less of the company’s ownership and are not a controlling interest in the company.

For purposes of this policy, “immediate family member” means a current or former spouse or domestic partner; an adopted or biological child or stepchild; the spouse or domestic partner of an adopted child, biological child or stepchild, whether or not they reside in the Physician’s household; or anyone residing in the Physician’s household.

“Family member” includes parents, grandchildren, siblings, aunts, uncles, cousins, in-laws, spouse or domestic partner’s immediate family and other close relatives.

Gifts

TPMG physicians may not accept products or services from Vendors, Consultants or organizations doing business or seeking to do business with TPMG, or with Kaiser Permanente, which are free, or at reduced or discounted prices, and which are for the benefit of the physicians or their family members.

Physicians, Departments and Medical Centers may not accept Vendor funding for items of value, including but not limited to equipment, supplies, salaries, for the Department or the Medical Center other than as stipulated in an approved research arrangement, negotiated as part of a purchasing agreement, or arranged through a contract with TPMG for evaluation of a new technology.

Commercial Support for CME/Education

Use of commercial funds for support of educational programs providing CME credit must comply with the rules and regulations established by the ACCME, CMA and TPMG, and must be consistent with the Guidance issued by the Office of the Inspector General, DHHS.

TPMG Physician Education and Development (PED) shall maintain fiscal oversight and fiscal control of any commercial funds used to support CME programs in Northern California. Unrestricted educational grants from Vendors will be accepted through written contract with PED. The Director of Continuing Medical Education will work with internal program planners to ensure compliance with CME policies and facilitate disbursement of funds.
Commercial entities providing unrestricted grants for CME may not disperse separate from the contract, and TPMG physicians may not accept directly from the commercial entity, honoraria, faculty expenses, travel reimbursement, gifts, gratuities or other compensation.

Drug, device, equipment and biotech companies (Vendors) and other commercial entities may not provide funding for meals, snacks, gifts or other forms of compensation for departmental meetings, CME meetings or non-CME educational meetings on-site in Kaiser Permanente facilities, or off-site at meetings directed specifically to TPMG physicians, employees, or allied health professionals.

Vendor support for meals provided to all participants as part of a CME meeting or professional society meeting which is open to all physicians (TPMG physicians and non-PMG physicians) is considered to be a legitimate part of attendance at the meeting and is allowed.

TPMG physicians and allied health professionals who serve as faculty at CME or other educational programs must sign a “Disclosure of Conflict of Interest” form, even if no conflict exists.

**Involvement with Organizations Outside Kaiser Permanente**

Participation in professional societies, medical societies, JCAHO, NCQA or other regulatory or accrediting agencies, and organized medicine is encouraged. Physicians may serve as Officers and Directors of these associations.

TPMG physicians may not serve as Officers, Partners, Directors or consultants to an organization or entity which competes with TPMG or KP.

TPMG physicians may not serve as Officers, Partners, Directors or consultants to an organization which does business with, or which may seek or plan to do business with, TPMG or KP without prior approval of the Executive Director and TPMG General Counsel, who will evaluate the request based on the potential for conflict of interest or adverse impact on TPMG or Kaiser Permanente. This includes drug, biotech, device and equipment suppliers among others.

Pool Physicians are not prohibited by this policy from having financial interests in or providing services for an organization or company that is in competition with activities of TPMG or Kaiser Permanente. However, they may not compromise the confidentiality of TPMG or Kaiser Permanente proprietary or patient information, nor represent or suggest that they are acting on behalf of or within the scope of their employment with TPMG during any such activities.

For the purpose of this policy, proprietary information is information in which TPMG has an ownership interest, potential ownership interest, or other legal right (e.g. license or copyright), or the disclosure of which could adversely impact the organization.

**Speakers’ Bureaus**
TPMG physicians may not receive remuneration, gifts, gratuities, travel expenses or honoraria from Vendors for participation in a Vendor’s Speakers’ Bureau. Physicians must receive prior approval from the PIC and Executive Director to participate, and approval will be granted only in those circumstances in which participation is deemed to be in the interest of TPMG and Kaiser Permanente.

**Honoraria and Presentations**

TPMG physicians may not accept and retain honoraria from a Vendor for teaching or giving presentations, including payment for time, travel expenses, meals, entertainment, recreational or social activities.

Honoraria from educational institutions, training programs, professional associations, non-profit organizations, or government agencies may be accepted and retained, with prior approval from the TPMG Board of Directors, if the presentation/lecture is not prepared or delivered on Medical Group time.

Inclusion of confidential or proprietary TPMG or Kaiser Permanente data or information in teaching or lecture materials is prohibited.

**Vendor-Sponsored Product Demonstrations, Non-CME Educational Programs and Conferences**

TPMG physicians may not accept reimbursement from Vendors for the cost of travel and/or attendance at product demonstrations, conferences, or non-CME educational programs. TPMG may choose to sponsor/support a physician’s attendance at such a meeting if it is deemed to be in the interest of the Medical Group.

TPMG physicians may, on their own time and at their own expense, attend such meetings as long as:

1. Nothing of substantial value is received by the physician.
2. The meeting is available to all physicians within and outside TPMG.