

OHSU Health Care System

Vendor Representative

Effective Date: July 06, 2010

No: HC-ADM-APC-P012

POLICY:

This policy provides rules concerning the business relationship between OHSU, its Vendors, and Vendor Representatives. By defining expectations for access and visitation to OHSU facilities and/or departments, members of the OHSU workforce will have appropriate contact with Vendor Representatives to facilitate their assigned responsibilities while avoiding unwarranted, inappropriate, and unnecessary visits by Vendor Representatives. It is essential that Vendor visits to OHSU comply with applicable laws and regulations including, but not limited to, The Health Insurance Portability and Accountability Act (HIPAA), The Joint Commission, Oregon laws, and other regulatory agencies.

PROCEDURE:

Definition:

Vendor: Any outside agency or company in the business of supplying products, devices, equipment, and/or services that may be purchased for use by OHSU in performing clinical, research, education, or administrative operations.

Vendor Representative: Any agent working for or on behalf of a Vendor.

Unescorted: Supervision is not required when accessing controlled or restricted areas in accordance with OHSU policies (see listings at bottom). Additionally, unescorted access allows for non-fixed or unscheduled appointments. The Transportation & Parking Customer Service Office will issue an OHSU access badge with endorsement from the requesting OHSU department. See guidelines, [Visiting Professors, Scientists & Other Affiliates \(OHSU Integrity Office\)](#), for example characteristics of unescorted visitor.

Escorted: Access is by appointment only and supervision is required at a level appropriate to the area/s to be accessed in accordance with department procedures. Any visitor with a legitimate purpose can access common areas without restrictions (e.g., waiting areas, lobbies, food service areas, etc.). See guidelines, [Visiting Professors, Scientists & Other Affiliates \(OHSU Integrity Office\)](#), for example characteristics of escorted visitor.

Vendor Fair: An event on OHSU premises where a Vendor or several Vendors provide information related to their products and/or services.

Visitor Badges and Patient Confidentiality Statement

- a. Vendor Representatives who wish to enter OHSU Hospitals and Clinics premises must first check in with the Transportation and Parking Customer Service Center to obtain a dated visitor identification badge and to sign the OHSU Statement of Confidentiality. The identification badge and the representative's company-provided identification badge must be worn at all times while visiting OHSU. Representatives will be given a copy of this policy with their identification badge.
- b. OHSU Vendor badges may be issued by the Transportation and Parking Customer Service Center to Vendor Representatives whose work is considered vital for daily operations (eg. maintenance, contracted consultant). This request must be initiated and sponsored by an OHSU department and approved by the Director of Public Safety. A Vendor Representative with an OHSU Vendor badge is granted unescorted access in situations deemed vital to daily operations or after hours support. Vendor badges will not be issued for greater than 30 days and must be re-evaluated for appropriateness by the OHSU department requesting their service and the Director of Public Safety
- c. Badges for Vendor Representatives of medication or medical devices whose composition contains legend medications (ie, prescription medications), must be approved by the Director of Pharmacy or their designee.
- d. Vendor Representatives will not visit any area of the Hospitals and Clinics on the main OHSU campus (including, but not limited to the Physician's Pavilion, Outpatient Clinic, Emma Jones Hall, Dillehunt Hall, Multnomah Pavilion, Casey Eye Institute, Child Development and Rehabilitation Center, OHSU Hospital South, Doernbecher Children's Hospital, and the Center for Health and Healing) unless registered for each visit as above.
- e. Vendor Representatives contacting individuals or departments without the appropriate identification badge shall be informed of the policy and requested to proceed to the Transportation and Parking Customer Service Center.
- f. OHSU Logistics Center or Pharmacy should also be notified of Vendor Representatives who do not follow the

policy and process. Continued non-compliance with this policy and procedure by Vendor Representatives will lead to verbal or written warning, restriction of visiting privileges, or, if necessary, written proscription sent to the representative's company by OHSU Logistics Center or Pharmacy.

Parking

- a. Vendor Representatives must have a scheduled appointment to visit any department and/or staff member in OHSU Hospitals and Clinics and must sign-in at the designated area within the department upon arrival.
- b. Vendor Representatives wishing to park on campus may purchase a parking permit at the Transportation and Parking Customer Service Center. Because of the critical shortage of patient and employee parking, Vendor Representatives shall not park in patient, patient visitor, or metered spaces

Appointments and On-Site Expectations

- a. Escorted Vendor Representatives require an appointment prior to arrival and activities are limited only to scheduled appointments. Additionally, Vendor Representatives must sign-in at the designated area within the department upon arrival.
- b. Vendor Representatives for medications or medication devices with medications must first report to the Pharmacy Administrative Office to sign the log to discuss who they are meeting with and what will be discussed.
- c. Vendor Representatives must visibly display a valid OHSU identification badge or day pass issued by the Transportation & Parking Customer Service Center.
- d. Department Director approval is required for Vendor displays, exhibits, and demonstrations in conference rooms or entry ways to conference rooms. Adherence to the OHSU Gift policies (No. 10-01-25 and No. 10-01-30) and guidelines posted on the [OHSU Integrity Office's Gifts and Conflicts of Interest web page](#) is required for these activities.
- e. Vendors or Vendor Representatives may sponsor educational events and Vendor fairs at OHSU by providing textbooks, printed material on formulary pharmaceuticals, or conference speakers, in compliance with OHSU policies relating to these matters and only after signing an agreement that stipulates compliance to those policies. Vendors may not distribute items that are solely promotional in nature.
- f. Vendor Representatives may not bring food or beverages to distribute on campus.
- g. Vendor Representatives shall not attend meetings or conferences where information is presented that could compromise patient care, research subject activities, or intellectual property confidentiality.
- h. Vendor Representatives are prohibited from operating equipment or administering supplies, including opening of sterile supplies, or otherwise participating in the delivery of direct patient care or human subject interventions.

Solicitation of New Products

- a. All uninvited or "cold" solicitations for devices, supplies and/or equipment must be directed to the Value Analysis Department in OHSU's Logistics Center for formal product review, approval and reporting on ongoing status of solicited products.
- b. All solicitations for new drugs, pharmaceuticals or pharmaceutical devices must be directed to the OHSU Department of Pharmacy Services.
 1. Vendor Representatives must respect the Pharmacy & Therapeutics Committee process for evaluation of medications for addition to the formulary.
 2. Vendor Representatives may not complete formulary request forms.
 3. There are times when the Vendor Representative may need to advise on their product that has already been approved and purchased or leased. The Vendor Representative must limit this consultation and must solely advise on the specific product. He/she may not attempt to market other products

Restricted Access and Patient Confidentiality

- a. In order to enter a patient area, a Vendor Representative must have a signed a Confidentiality Statement on file with the Customer Service Center, as required above.
- b. Vendor Representatives are prohibited from entering any patient care area unless accompanied by an OHSU employee. Vendor Representatives are only allowed in patient areas for a sanctioned purpose, such as providing education on new products or devices, or by invitation to act as technical consultants to the physicians and/or nursing staff. Vendor Representatives may not detail their products or services for other purposes and/or in other locations than for the purpose and in the location for which the Vendor Representative was scheduled.
- c. Vendor Representatives shall not attend meetings or conferences where information that could violate patient confidentiality is presented.
- d. Vendor Representatives are prohibited from operating equipment or administering supplies, including opening of sterile supplies, or otherwise participating in the delivery of direct patient care.

Conflicts of Interests

- a. Vendor Representatives may not knowingly promote or actively sell products or services to OHSU through an

OHSU employee who is or whose immediate family member (spouse, domestic partner, or dependent child) is related to the Vendor Representative or who may have a significant financial interest with the Vendor as defined in the OHSU Conflict of Interest policy 10-01-020.

Endorsement of Vendor Products

- a. Product or service information distributed by Vendor Representatives or OHSU departments must avoid the implication or perception of endorsement by OHSU.
- b. Vendors or OHSU departments that wish to endorse a particular product or service must seek approval from the Vice President for Public Affairs and Marketing.
- c. OHSU staff and employee statements may not be used for marketing purposes in brochures or advertising without approval from the Vice President for Public Affairs and Marketing.

Evaluations

- a. Evaluations of supplies and/or equipment are not permitted without the expressed approval of the a Value Analysis Committee. Evaluations that take place without the permission of the a Value Analysis Committee will be considered null and void.
- b. OHSU may at its discretion ask Vendor Representatives to provide information and demonstrations of their products. Such requests should not be construed as an evaluation or permission to begin an evaluation without direct authorization of the a Value Analysis Committee.
- c. All products and equipment represented to and/or sold to OHSU must meet all FDA regulations and must have FDA 510(k) clearance; exceptions may be granted on a case-by-case basis for humanitarian or palliative purposes as approved by the OHSU Medical Board, or with IRB approval.
- d. All medical equipment must be evaluated and safety-checked by the Clinical Technology Service Department prior to delivery into a patient care area and prior to use in patient care.
- e. All products and equipment represented to and/or sold to OHSU must meet all Federal, State, and Local codes.

Other

- a. Vendor Representatives may be subject to additional policies and procedures as may be promulgated by Hospital and Clinics individual departments or committees.

Policy Violation Actions

- a. Violations of this policy or any other OHSU policy will result in the following:
 - o First violation: verbal and written warning sent to the vendor and vendor representative by OHSU Logistics, Pharmacy, Integrity Office, or Public Safety.
 - o Second violation: suspension of OHSU visitation privileges for thirty (30) days and written warning sent to the Vendor and Vendor Representative by OHSU Logistics, Pharmacy, Integrity Office, or Public Safety.
 - o Third violation: permanent loss of visitation privileges at OHSU as a vendor representative.
- b. The Director of Logistics, Pharmacy Services, or Public Safety or the Chief Integrity Officer may escalate of violation actions at their discretion based on the severity the policy violation.
- c. The Directors of OHSU Logistics, Pharmacy, or Public Safety and the OHSU Chief Integrity Officer (or their delegates) have the right, at any time, to require a Vendor Representative to leave OHSU premises immediately. Such circumstances may include, but are not limited to:
 - o The conduct or health status of a Vendor Representative is determined to have a detrimental effect on OHSU's staff or patients or clinical, research, or educational operations;
 - o A Vendor Representative performed an act exposing OHSU to liability for personal injury or property damage;
 - o A Vendor Representative violated OHSU's rules, policies, or procedures.

Exceptions

- a. Any exceptions to any part of this policy including escalation of violation actions may be made at the discretion of the following representatives of OHSU, as appropriate:
 - o Director of Logistics;
 - o Director of Pharmacy Services;
 - o Director of Public Safety;
 - o Value Analysis Committee;
 - o Chief Integrity Officer.

Bibliography:

- [Federal Register / Vol. 62, No. 232 / Wednesday, December 3, 1997 / Notices, p. 64093](#) "Guidance for Industry: Industry-Supported Scientific and Educational Activities"

Related Forms:

- [OHSU Policy: Chapter 1 - Administration: Solicitation, No. 01-10-020](#)
- [OHSU Policy: CHAPTER 10 - CONFLICTS OF INTEREST AND COMMITMENT: GIFTS TO INSTITUTION, SCHOOLS, UNITS, DIVISIONS, DEPARTMENTS AND PARTS, No. 10-01-030](#) 3. Payment of Expenses for Seminars, Continuing Education and Other Events
- [OHSU Formulary](#)
- [Pharmacy and Therapeutics Committee Guidelines](#)

- [OHSU Patient Confidentiality Statement](#)
- [OHSU Notice of Privacy Practices:](#)
- [Permitted Uses and Disclosures of Protected Health Information](#)

Supersedes:

3/1988; 4/1998; 10/1998; 3/5/2001 Reviewed w/o edits; 10/15/2003;

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Author:

Value Analysis Committee, Public Safety, Pharmacy Services

Review Committee:

OHSU Professional Board

Approved By:

Professional Board (clin - adm)

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