

INDUSTRY CONSULTING AGREEMENT REVIEW

Instructions

1. USC's Relationship with Industry Policy (RWI Policy) requires that USC Healthcare Professionals (HCP) submit consulting agreements for review and approval prior to initiating consulting services with a company defined in the policy as "Industry". This review is not a legal review. The University does not provide legal advice for outside consulting agreements. This is a review to determine if the consulting services with Industry (a) comply with USC's RWI Policy and (b) do not constitute a conflict of interest or commitment as described in the USC Conflict of Interest and Ethics Policy.
2. Only "USC Approvers" as defined in the RWI Policy may conduct this review.
3. To assist in determining whether or not a consulting agreement complies with the RWI Policy, answer the questions found below in the Industry Consulting Agreement Checklist, documenting your answers to each. For specific policy guidance, refer to the RWI Policy Section A: *Consulting Arrangements and Industry Sponsored Speaking Engagements* or contact the Office of Compliance. Additionally, consider the following AAMC questions:
 - *Does the arrangement have the potential to enhance the health of the public?*
 - *Does the arrangement serve the academic mission?*
 - *Does the arrangement support academic standards of medical professionalism?*
4. At the time of your review, to assist in determining whether the total consulting activity of the HCP constitutes a conflict of commitment, request the HCP to provide an updated *Summary of Outside Consulting* form, Appendix A
5. At the conclusion of your review, retain a copy of the consulting agreement, a copy of this review document and a copy of the updated *Summary of Outside Consulting Form*.

Consulting Agreement Submitted By: _____

Name of Company Requesting Consulting Services: _____

Document Date: _____

The Chair's signature below represents that the Chair has reviewed and approved the attached consulting arrangement:

Chair

Date

INDUSTRY CONSULTING AGREEMENT CHECKLIST

Condition	Yes	No	Notes/Recommendations
Does the agreement explain in reasonable detail the consulting services to be provided by the USC HCP? Note: Do the requested services appear necessary? Legitimate?			
Are the consulting services scientific in nature? Note: If yes, the engagement should not originate from the marketing department.			
Is compensation offered at Fair Market Value and below \$500/per hour? Note: It is not acceptable for a USC HCP to accept a fixed daily rate. Compensation must equate to an hourly rate for services rendered. Do not approve this arrangement if an hourly fair market value assessment cannot be made.			
Is the term of the agreement limited to one year?			
Is there any language that implies an agreement to purchase or prescribe the company's products or offer a "quid pro quo"? Note: Do not approve if yes			
Is it clear that these services will be provided when the USC HCP is not engaged in university activity? Example: Surgeons may not be paid for consulting services when they are at the same time being paid for patient care services.			
Taking into consideration all other approved consulting arrangements for this USC HCP, can the services requested in this arrangement be provided compliant with the USC Faculty Handbook and the USC Conflicts of Interest in Ethics Policy and Procedure?			
Is the consulting arrangement related in any way to a company where the USC HCP is also involved in sponsored research? Note: If yes, has a Statement of Outside Interests been submitted as per the USC Conflict of Interest in Research Policy?			

Condition	Yes	No	Notes/Recommendations
<p>Regarding Industry Sponsored Non-CE Speaking Arrangements:</p> <ul style="list-style-type: none"> • Are there any provisions which would not allow the USC HCP to comply with Standards of Commercial Support as per the guidelines of ACCME, ACPE or ADE, whichever is applicable? • Does the arrangement in any way interfere with the USC HCP's ability to be in control of the content of their presentation? <p>Note: The Relationships with Industry Policy, <i>strongly discourages</i> participation in paid promotional frequent speaking arrangements. If approval for this type of speaking is given, document in NOTES the compelling circumstances for this approval.</p>			

GENERAL COMMENTS

If approved:

What is the total time commitment anticipated under this consulting arrangement:_____

What is the total amount of money projected to be earned under this consulting arrangement:_____