

School of Medicine Executive Committee
Meeting Minutes
Tuesday, March 20, 2012
Academic Office One, 7th Floor Board Room

ATTACHMENT 1

Present

Members: Bill Betz, John Cambier, Robert D'Ambrosia, Steve Daniels, Colleen Conry for Frank deGruy, Robert Freedman, Renata Gallagher, Laurie Gaspar Ron Gill, Fred Grover, Tom Henthorn, David Barton for Randall Holmes, Ben Honigman, Herman Jenkins, Mark Johnston, Richard Krugman, Todd Larabee, Kevin Lillehei, Wendy Macklin, Naresh Mandava, Dennis Matthews, David Norris, Jim McManaman for Nanette Santoro, David Schwartz, Ann Thor, Ken Tyler, Richard Zane

Participants: Terri Carrothers, Timothy Crombleholme, James Hill, Richard Johnston, Doug Jones, Celia Kaye, Steve Lowenstein, Philip Mehler (DHHA), Thomas Meyers (VA), Dan Meyers, Chris Nyquist, David Orlicky (Faculty Promotions), Chip Ridgway, Carol Rumack, Jane Schumaker, Ron Sokol, Fred Suchy, Mark Kochevar for Dan Theodorescu, Cheryl Welch, Nan LaFrance, Steve Zweck-Bronner

Guests: John Harney (CEO-UCH), Patricia Gabow (CEO-DHHA), Mary Krugman

I. Greetings – Dean Krugman welcomed everyone.

II. **Approval of the Minutes** – The February 21st, 2012 SOM Executive Committee Meeting were unanimously approved as written.

III. **Discussion Items**

A. Dean's Comments

1. **Procurement Meeting** – Dean Krugman, the Senior Associate Deans, Jones and Wendy Macklin, PhD, attended an early morning meeting with the state's procurement department regarding the review of 6 consultants for the strategic thinking and process for the SOM. The consultant packages will be reviewed and a meeting is scheduled to discuss the reviews on April 3rd. The procurement office will make the selection once all the packages have been discussed and criteria ranked by the SOM Committee. The Dean hopes to have the name of the firm by the next SOM Executive Committee Meeting.
2. **Problem Solving/Mentoring** – this is an issue that surfaced during some Department Chair annual review meetings. Should mentoring and support be offered to members of the SOM Executive Committee? Doug Jones, Sr. Associate Dean, noted that the Mayo Clinic exercises this in their meetings. Wendy Macklin informed the committee that while there is a Department Chair orientation that lasts a few days, it is not held often enough to discuss problem-solving and mentoring. The Basic Science Chairs meeting monthly and part of the agenda is to discuss problems and ideas. The Dean believes that it is taken for granted that all Department Chairs, Sr. Associate Deans, Directors know

what is needed to know. Navigating the University systems, the State Purchasing systems, UPI, Grants and Contracts, etc. can be difficult. Dean Krugman asked for the top 4 issues for each SOM Executive Committee member as he went around the room. The issues brought up were Space, Money, Human Resource issues (retirement, tenures, terminations), and inefficiencies in contracts and sub-contracts. Dean Krugman brought up a subject related that was addressed at the Clinical Chair meeting with regards to contracts related to the VA. He asked Jane Schumaker, Sr. Associate Dean for Finance and Administration, if there were issues with A133 regulations and is that why UPI was not doing the contracts? A misunderstanding was that the VA said that they could only be contacted by an affiliate and UPI is not an affiliate of the VA, but there is a determination from the VA stating that they can take the contracts from UPI. There needs to be a uniformed way of filing contracts across all entities. Central funding also continues to be an issue.

The University Office of Grants and Contracts was audited previously, and one item that was noted was the number of grants and contracts that have not had close out FRS's submitted in a timely manner. It was explained that each OGC Post-Award person has approximately 500 awards to manage and the benchmark around the country is 100-125.

Pam Jones and Dick Traystman will be invited to the April SOM Executive Committee Meeting to discuss the issues with Grants and Contracts. There have been discussions within the School and the Dean's office regarding the issues.

- B. Denver Health Update – Philip Mehler, MD updated the committee on the CEO position search. The required public forum has been completed and the final specs for the position have gone out. The goal is to have 3-5 names to be given to Board of Directors by the first part of May 2012 and name someone during the early part of the summer so that Dr. Gabow can retire by September.

Match Day was good for Denver Health in the ER, Family Practice and ED and the whole residency program. DHHA is still in the running for CMMI grant. For the first time in the history of DHHA, they are starting a palliative care service.

The Dean thanked Dr. Mehler, Dr. Gabow and others who spent the day with 3 clinical scholars from Robert Wood Johnson who came in to look at Denver Health for 2 days to look to see how they could save Martin Luther King Hospital in Los Angeles which is the midst of turmoil.

- C. Speakers Bureau Policy Enforcement – Associate Dean, Steven Lowenstein, MD and General Counsel, Steve Zweck-Bronner updated the committee on the Speakers Bureau Policy Enforcement. The policy prohibits SOM faculty members from being paid by industry from giving marketing or promotional talks, the definitions are clearly outlined in the policy. This policy was cited by the AMSA (American Medical Student Association) as a model Speaker Bureau policy for the country. What has been missing is the process for monitoring compliance and for education and outreach at the department

level and a system of tiered penalties. (A handout outlining the penalties and the policy was supplied at the meeting.) The penalties are “optional”, not mandatory. The penalties may be imposed by the department chair, when it is determined that a faculty member has received compensation by industry for speaking in violation of the Speaker’s Bureau Policy. Guidelines should be developed regarding which penalties should be recommended for a first, second or other repeat violations. Penalties listed are: payback of all taxes and fees owed to the SOM, the department or UPI; prohibition from all industry-paid speaking engagement for 1 year; prohibition from participating in the department’s incentive plan for 1 year; placement of a letter of reprimand in the faculty member’s personnel for 1 year; requirement to submit 3 years of tax returns for review by the department chair; other sanctions may be imposed, including suspension of pay, salary reduction or termination of employment. These are ideas, not policies. The penalties should be applied at the department level. Dean Krugman asked that possibly a departmental committee review the infraction and give their suggestion to the Department Chair. The Dean would like feedback and would like to have a decision in place by May on how we will proceed.

- D. Dean Krugman’s 20th Anniversary – a small, surprise ceremony was held in honor and recognition of Dean Krugman’s 20th year as the Dean for the School of Medicine. Patricia Gabow - CEO of Denver Health, John Harney-CEO of University Hospital and Dr. Mary Krugman – Dean Krugman’s spouse were present for the event. Dr. Krugman’s total tenure is actually longer given his acting period of 19 months.

- E. Changes to Notice of Non-Reappointment – for decades the University has required that notice be given to faculty members prior to non-renewal of their appointments. This non-renewal provision, which originally was a Regent mandate, first appeared in the Faculty Handbook in 1984. Steve Zweck-Bronner and Steven Lowenstein informed members of the Executive Committee that a new non-renewal policy has been developed, scheduled to take effect in July, 2012. Non-reappointment policies have now been delegated to the campuses. In the past, chairs were required to provide the required notice (3 months, 6 months or 1 year, depending on the number of years of service) prior to the expiration of the current term of appointment; the required notice period was in addition to any remaining time on the faculty member’s appointment. Under the new policy, notice may be given at any time of the year, and the notice period will start on the date that written notice of non-renewal of the appointment is provided to the faculty member. It is anticipated that the new policy will mandate one year’s notice for faculty members who have been here three years or longer, rather than the current two years. These notice provisions will also apply to Instructors and Sr. Instructors who are not “at-will,” which is consistent with current practice. Dean Krugman would like additional feedback before final approval of this new policy. Dean Krugman restated that, with regard to faculty members whose salary is supported by funds from an affiliate hospital, the faculty may be given an indeterminate appointment, which states that if the funding for the faculty member’s appointment ends, the faculty appointment will end at that time. This information will allow the hospitals and the departments to budget accurately. Dean Krugman would like the Dept. Chairs to discuss this with their Division Heads, and other faculty; it will be discussed at a future SOM Executive Committee Meeting and will then presented for discussion at the Faculty Senate.

- F. Faculty Senate Update - Dr. Ron Gill updated the committee on the Faculty Senate meeting which met on March 13th. The first topic on the agenda was an update on the Faculty Conflict of Interest Committee by Associate Dean Steven Lowenstein who provided details on the numbers of speaking engagement requests that have been received, approved and disapproved, and also provided information regarding a proposed change to the current process for reviewing speaking requests. In the current review process, if it is determined that the contract language for the talk is not acceptable, we are seeing delays in the process because of the multiple emails that are then generated between the Committee, the faculty member, and the UPI attorney. The Committee has proposed a new process which they believe will alleviate this problem. In the new process, once the request for approval of a speaking engagement is received, the contract for the talk will be forwarded immediately to the UPI attorney for review and approval. If changes to the contract language are needed, the UPI attorney will communicate directly with the faculty member or the company sponsoring the talk. Once the contract language is deemed acceptable, the Faculty Conflict of Interest Committee will then review the request and complete the process. This new process will begin immediately.

The second agenda item was a presentation by Jane Schumaker, Sr. Associate Dean for Administration and Finance and Executive Director, UPI who provided an overview of School of Medicine finances and funds flow, as well as an overview of the UPI structure and governance and funds flow. This presentation provided valuable information regarding SOM and UPI finances to the Senators to take back to their departments.

Executive Session

IV. Approval Items

- A. **Sr. Clinical Appointments and Promotions** – all Sr. Clinical Appointments and Promotions were unanimously approved.
- B. **Approval of Faculty Promotions** – all faculty promotions were unanimously approved.

The meeting adjourned at 9:48AM