

VHA Ethics Training
Summary of the video “VA Ethics Group”

The major points made in this video are these:

- I. An employee cannot accept gifts of lodging, meals, travel or other expenses from entities that do business or want to do business with the government. If a meeting sponsored by this type of entity has a bona fide educational content or is intended for information exchange, an employee may be able to accept reimbursement of such expenses after approval by Regional Counsel and prior written authorization by the Medical Center Director. Note that attending meetings of this type (or consulting) during non-duty hours is not prohibited by the ethics rules if the content or work is **not related** to your official VA duties.
- II. It is a criminal violation for a VA employee to recommend a contractor to the VA, if this individual has an ownership share in the company that is being recommended. Exceptions apply to ownerships of \$15,000.00 or less of stock of a publicly traded company, and there are other situations in which waivers may be issued. However, it is a criminal violation for a VA employee to participate personally and substantially in an endeavor that will have a direct and predictable effect on his/her financial status. Interests of other persons such as relatives or business associates are imputed to the employee. Always consult Regional Counsel for a decision in these situations.
- III. There are considerable issues of concern in the relationship of a VA employee to an affiliated medical school. VA policy prohibits VA employees who are also employees, officers, directors or trustees of outside organizations from participating in VA contracts with those organizations. In our context this would usually refer to the University of Minnesota. Specific activities which are prohibited include developing specifications and solicitations for contracts; acting as contracting officers or technical representatives (COTR); negotiating any part of a contract; evaluating bids or proposals; selecting or recommending a contractor; reviewing or certifying any document of consequence related to the contract; or reviewing or reporting time and attendance for contract administration purposes. VA employees can supervise professional services for quality of care as part of these types of contracts. They may also develop workload projections and provide direct patient care, oversight and administrative information as related to their VA role. Violations of conflict of interest regulations can carry criminal penalties and civil fines. Specifics about conflict of interest issues are included in the VHA handbook, paragraph 1660.3.
- IV. Use of public office for private gain is, of course, prohibited. While the occasional use of telephone or fax—if at minimal cost to the government, not interfering with one’s work, and not for personal gain—is allowed, more extensive use of VA facilities for outside business activities is not allowed. An employee may not use government equipment for commercial purposes or in support of for-profit activities, or in support of other outside employment or business activities. There is also a prohibition (VA Directive 6001) against employees modifying government equipment. This prohibition includes downloading personal software or changing hardware or software for personal use.
- V. The VA prohibits receipt of payment for performing VA services from an entity other than the VHA. An employee may not accept compensation from non-government

sources for performing his or her official VA duties. To determine whether the compensation is payment for government services, one factor to consider is the intent of the party making the payment to the employee.

- VI. VA employees may accept unsolicited gifts valued at \$20.00 or less from clients. All gifts of cash or cash equivalents are prohibited. Ethics rules do not allow VA employees to accept gifts or gratuities from companies that do business with the government. An exception applies to gifts or gratuities of \$20.00 or less.
- VII. VA employees may not accept an honoraria for writing or speaking if it is related to their official duties or position, no matter whether on official time or not. "Related to their official duties" includes any talks where the subject of the activity deals in significant part with any matter to which the employee is presently assigned or to which they have been assigned during the previous one year period, or any ongoing or announced policy, program, or operation of the agency. Honoraria for writing or speaking are not allowed if the paying entity has the potential to be impacted substantially by the work that the employee does when on official duty. Employees who are on a Speakers Bureau for an agency or pharmaceutical company are strongly advised to check with Regional Counsel since there are prohibitions against working on financial matters involving that company in the course of your VA employment.
- VIII. VA policy allows meals at Grand Rounds or conferences if the value of the meal is less than \$20.00 and the aggregate amount from any donor to any individual is less than \$50.00 per year. Donations of food by pharmaceutical firms cannot be accepted on a regular, predictable and frequent basis. Furthermore, per Minneapolis VAMC policy, food and/or beverages may not be provided at any on-site program that is being sponsored by a pharmaceutical company (for example, if the pharmaceutical company is paying a speaker fee, providing travel, paying a consultant fee related to the presentation, or providing the majority of slides). See VHA Directive 2003-060 and medical center policy MA-07B for further information on the relationship between VHA staff and pharmaceutical representatives.
- IX. Gifts from individuals you supervise must be valued at less than \$10.00. For infrequently occurring occasions of personal significance, such as marriage, birth or adoption of a child, illness, or upon occasions that terminate the subordinate-official supervisor relationship (retirement, transfer, resignation), employees may solicit voluntary contributions of very nominal amounts.

The rules and regulations upon which these are based, as well as opinions and other general ethics information are available from the Office of Government Ethics website at www.usoge.gov. The VA also has specific information relating to VA ethics programs, including training materials, available at the General Counsel's website <http://vaww.gc.va.gov/ethics>

The important issues to remember are these. (1) You should not use your official position in any way for personal gain. (2) You need to remain impartial when dealing with outside firms. (3) Make certain that your official actions cannot conflict with these rules. Above all, in any situation which you are uncertain about proper action, contact the VA Regional Counsel (ext. 5900).



Department of
Veterans Affairs

Memorandum

Date: April 20, 2005
From: Chief of Staff (11)
Subj: Mandatory Ethics Training
To: All Physicians, Pharmacists and Researchers

1. The VA has implemented a requirement that mandatory ethics training must be completed by June 1, 2005. Hereafter, training will be required for new employees and annual refreshers will be provided. This training is required of all physicians, pharmacists and non-physician researchers.
2. This requirement may be met in one of two ways.
 - View the video entitled "VA Ethics Group." This video lasts for 45 minutes and is an interesting, well-done summary of current VA ethics rules. It provides excellent examples specific to the VA of ethics regulations. The library has multiple copies available. This would be appropriate for a departmental Grand Rounds. You can obtain a copy of the video by contacting Carolyn Olivera
 - Read the attached two-page summary of the material content of this video.
3. In either event, you need to certify that you have had this training by June 1, by indicating that in the box at the bottom of this page and returning this to Carolyn Olivera (116A).
4. If you are no longer a member of the medical staff—or if you have already informed us that you have completed this training--we are sorry we have sent this to you in error. Please call my office at (612) 725-1970 to correct this error.
5. Thank you for your attention to this important matter.

Jack Drucker, MD

Attachment

I certify that I completed the mandatory ethics training		
Name (please print)	PSL or Dept.	Date
Signature		
Return this memo to the Carolyn Olivera (116A)		