

School of Medicine Policies on Commitment, Private Consulting, and Other Extraordinary Contributions

I. Policy on Commitment

A School of Medicine faculty member is compensated by the University and Emory owned or approved medical practice plans for 100% of professional effort as a whole, through the regular compensation mechanisms.

II. Authority of Department Chairs in Assignment of Duties

Departmental chairs are responsible for the assignment of duties to faculty members with due consideration to the resources of the department, including sources of compensation.

III. Policy on Medical Practice by School of Medicine Faculty

Compensation earned by School of Medicine faculty for activities that constitute the practice of medicine, including all clinical (patient-care) activities and other activities in which the faculty member performs as a physician, must be through established Emory owned or approved faculty practice plans, such as The Emory Clinic, the Emory Medical Care Foundation, the Children's Heart Center, the Atlanta Veterans Affairs Medical Center, and the Emory Children's Center, and in accordance with the practice plans' individual policies and practices; or through established and approved agreements with Emory owned or affiliated hospitals. Any exceptions must be approved in advance by the Department Chair and the Dean, with the concurrence of the administration of the practice plans and the Emory hospitals.

IV. Policy on Private Consulting

“Private consulting” is defined as services performed, excluding medical practice, or products created and/or sold for which remuneration in any form is received from a person, firm, or corporation other than Emory University and Emory-approved practice plans, including but not limited to The Emory Clinic, the Emory Medical Care Foundation, the Emory Children's Center, and the Veterans Affairs Medical Center.

A faculty member may be permitted up to twenty percent (20%) of his/her professional effort for personal and private consulting external to the University **if approved in advance by the Departmental Chair and the Dean**. Compensation for private consulting will ordinarily be paid by the external entity directly to the faculty member, who is acting in his/her private capacity and not as an agent of the University. This policy on private consulting arrangements applies to external entities and does not apply to a faculty member's professional academic and service commitments to the various departments of the School of Medicine or components of the Health Sciences Center or to external government agencies and professional organizations; e.g., review panels, study sections, invited lectureships and seminars, etc.

Whether a faculty member may own or consult with health-related internet sites is a difficult, complex, and evolving issue. The School of Medicine recognizes that the definition of “medical practice” is undergoing change as advances in outreach to the public through the internet and through other technological advances occur. When a request is made by a faculty member for approval of a private arrangement in which the activity is owning, consulting with, reviewing for, or generating a product for a health-related internet site, the Department Chair and Dean will apply the policy that a faculty member may not engage in the practice of medicine in any capacity outside the Emory-approved practice plans. Examples of the many activities that constitute medical practice on the internet include, but are not limited to, providing information or advice about an individual patient, prescribing treatments for individual patients, and recommending particular physicians in the users’ geographical area, generally based on medical specialty.

On the other hand, using the internet as a new and effective means of informing the general public about health promotion, diseases, and diagnostic and therapeutic measures does not constitute the practice of medicine and may be approved. The underlying principle is that such activity is an extension of the public education that physicians have always provided. The faculty member should clearly explain the details of the consulting activity when such requests are submitted.

V. Procedure for Review of Private Consulting Arrangements

When compensated consulting arrangements with external entities, written or unwritten, are contemplated by School of Medicine faculty, prior approval must be granted by the Departmental Chair and by the Dean of the School of Medicine. The Chair and Dean will consider the academic and clinical needs of the Department, the School, Emory Healthcare, and the practice plans; and the benefit of the consulting activity to the faculty member and the University. The approval of any private consulting or ownership arrangement will be subject to University, School, practice plan, and in some cases, government policies and practices on conflict of interest with respect to commitment, research, outside vendors, and administrative positions and roles; intellectual property; use of the Emory name, letterhead, and trademarks; use of Emory resources, facilities, and personnel; start-up companies; and competition with the activities of Emory Healthcare or the Emory practice plans. The purpose of the reviews by the Chair and Dean is to ensure compliance with School of Medicine and University policies.

When such arrangements are contemplated, the Dean's Office will assist the faculty member in advance and before execution by reviewing the arrangement or written document and providing certain required language. Under certain circumstances, a formal review by the School of Medicine Conflict of Interest Committee and/or the Office of Technology Transfer may be required before final approval can be given.

VI. Policy on Compensation from Other University Units

Faculty ordinarily should not expect compensation for services rendered to other departments or units of the University. When such compensation is contemplated, approval must be obtained in advance from the Department Chair and the Dean. It is anticipated that seminars, teaching assignments, interdepartmental consultation, etc.

will, over time, equalize between departments. Joint appointments, which include compensation from the secondary department, require prior approval of the Dean.

VII. Compensation in the School of Medicine for Extra Duty

Compensation over and above the faculty member's regular salary may be paid for services that are clearly over and above the faculty member's usual and customary duties and where regular duties are not reduced in recognition of the extraordinary service, with the approval and the department Chair and Dean.

Examples of such instances are:

- ◆ Instructing in continuing medical education courses. Note that certain personal expenses paid by the University in conjunction with these programs may be considered a taxable ordinary income to the individual faculty member.
- ◆ Providing night coverage for certain clinics.
- ◆ Evening at Emory courses.
- ◆ Instruction at Morehouse (when paid through Emory).

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