

Meyers, Robert (COE)

INQ 06-130

From: Meyers, Robert (COE)
Sent: Thursday, September 07, 2006 3:31 PM
To: 'Miller, Kristin'
Subject: RE: Hospira representative

Ms. Miller,

Thank you for providing the information. As part of its Conflict of Interest and Code of Ethics Ordinance, Miami-Dade County adopted rules and regulations that apply to individuals and/or firms seeking to influence County officials and other decision-makers. These rules also apply to the Public Health Trust and Jackson Memorial Hospital. In addition to the provisions set forth in the abovementioned ordinance, the Miami-Dade Ethics Commission issues opinions that interpret these rules.

In January 2006, the Ethics Commission concluded that vendors seeking to market new equipment to the Public Trust/Jackson Memorial staff would have to register pursuant to the lobbying rules. In effect, this means when a salesperson is attempting to influence a decision-maker to purchase one or more of its products, that salesperson is required to register before he/she can meet with the official/employee. If the purpose of the meeting is simply to elicit information from the employee or to find out when an RFP is going to be advertised, registration is unnecessary. Moreover, if an RFP is issued and a company submits a proposal, then employees of that company who are identified as part the oral presentation team (those making a presentation before a selection committee), the listed individuals would not have to register. Finally, if a salesperson or other personnel employed by your company are providing technical assistance after the product has been purchased, such activities would not constitute lobbying.

Therefore, if the purpose of your meeting as a sales representative for your company is to attempt to influence the Hospital to purchase your company's products, you are lobbying and must register before you can speak with hospital staff. If there are multiple sales representatives calling on the Jackson Memorial performing the same function, then each person has to register. The registration fee per individual is \$490 and is a one-time, annual fee.

The specific section of the Miami-Dade County Code that covers lobbying is 2-11.1(s) and it can be found on our website --- www.miamidade.gov/ethics The opinion that I referenced in this e-mail is RQO 06-04 and I can fax it to you.

If you wish to discuss or have any further questions, please do not hesitate to contact me at your convenience.

Sincerely,

Robert Meyers, Executive Director
 Miami-Dade Commission on Ethics and Public Trust
 (305) 350-0613

From: Miller, Kristin [mailto:Kristin.Miller@hospira.com]
Sent: Wednesday, September 06, 2006 9:53 AM
To: Meyers, Robert (COE)
Cc: Arro, Wanderlin; Williams, Josh; Patten, John P; Sands, Jean; Juda, Wes; Rosales, Julio
Subject: Hospira representative
Importance: High

Robert,
 Thank you for taking my call this morning. I work for Hospira Worldwide, Inc. There are several representatives from Hospira that have been calling on Jackson Memorial for many years. Most are in the sales role, some clinical support, Clinical Nurse Specialist for example. We have hundreds of products on their GPO (Group Purchasing Organization). These range from pharmaceutical products to medical devices and IV equipment. I

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am the MMS (Medication Management Systems- Specialist). I focus on IV devices only. In my first and only meeting with Hugo Garcia months ago, he mentioned there would at some point be an RFP that would go out to contracted vendors only for PCA (pain management delivery) devices. I sent him an e-mail yesterday afternoon, and as you know per our discussion today, he sent back the Lobby Registration forms. I simply asked him where they were in the process of the RFP as we are on contract.

Please advise on what steps if any we need to comply with. I have copied several other Hospira reps and our Ethics and Compliance department. Also, if you would, please provide some background info on why this process was implemented.

Thank you again for your time.

Kristin Miller RN,BSN

Hospira Worldwide, Inc

Medication Management Systems Specialist

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9/7/2006