

THE UNIVERSITY OF MICHIGAN

REGENTS COMMUNICATION

ACTION REQUEST

EXH	MOTION <i>Newman</i>
	SECOND <i>Maysard</i>
	ACTION
APPROVED BY THE REGENTS	
NOTE	
MAR 17 2005	

Subject: Subcontract Agreement between the University of Michigan and Michigan Critical Care Consultants, Inc.

Action Requested: Authorization to enter into Agreement

Preamble:

A statutory conflict of interest situation was identified by DRDA while reviewing the Proposal Approval Form that then triggered a review by the Medical School Conflict of Interest Board. A plan for management of the possible risks associated with the conflicts of interest was developed and approved by the Medical School Conflict of Interest Board and agreed to by the parties involved in this project.

This proposed agreement (Agreement) falls under the State of Michigan Conflict of Interest Statute because Dr. Robert H. Bartlett is both a part owner of, member of the Scientific Board and consultant to Michigan Critical Care Consultants, Inc. (MC3), a for-profit company, and an employee of the University. The law permits such an Agreement provided it is disclosed to the executive officers and approved in advance by a 2/3 vote of the Regents.

Background:

Dr. Bartlett, Professor of Surgery, is a part owner of, member of the Scientific Board and consultant to MC3. MC3 has had various previously approved agreements with the University including subcontracts to and from the University under federal grants. The University now wishes to provide a subcontract to MC3 to enable the company to participate in a project supported by a grant from the National Institutes of Health (NIH). The Principal Investigator for the project at the University is Dr. Robert Bartlett. Dr. Bartlett will only participate in the project in his capacity as a University employee.

Nature of the Project:

The University of Michigan has been awarded a grant from the NIH to continue a research project entitled "Extracorporeal Circulation Without Anticoagulation." The University proposes to provide a subcontract to MC3 to participate in this research program.

Agreement Terms:

The terms of the Agreement conform to University policy. Under the project, a total subcontract of \$196,000 is anticipated to cover the period July 1, 2004, through June 30, 2007. The University's standard subcontract provisions will apply. Since research agreements are often amended, the subcontract includes provisions for changes in time, amount, and scope of the research. University procedures for approval of these changes will be followed and additional review by the Medical School Conflict of Interest Board will be done as appropriate.


Impact of the Agreement:

The Agreement will permit the participation of MC3 and, therefore, will allow the University to meet the goals and objectives approved by NIH.

Recommendation:

This project and associated management plan was approved by the Senior Associate Dean for Research of the Medical School and the Medical School Conflict of Interest Board. In light of this disclosure and our finding that the Agreement conforms to standard University practices, I recommend that the Board of Regents approve of the University entering into this Agreement with Michigan Critical Care Consultants, Inc.

Respectfully submitted,



Fawwaz T. Ulaby
Vice President for Research

March 2005