

THE UNIVERSITY OF MICHIGAN

REGENTS COMMUNICATION

Approved by the Regents

July 19, 2007

ACTION REQUEST

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

Action Requested: Authorization to enter into Agreement

Preamble:

A conflict of interest situation was identified by the Division of Research Development and Administration while reviewing the Proposal Approval Form that then triggered a review by the Medical School Conflict of Interest Review Board. A plan for management of the possible risks associated with the conflicts of interest was then developed by the Board and agreed to by the parties involved.

This proposed agreement ("Agreement") falls under the State of Michigan Conflict of Interest Statute because Dr. Bartlett is both a part owner of Michigan Critical Care Consultants, Inc. (MC3) and an employee of the University of Michigan ("University"). The law permits the University to enter into 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 is Professor of Surgery and a part owner of 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 enter into a subcontract with MC3 to enable the University to participate in MC3's project supported by a grant from the National Institutes of Health (NIH). Dr. Bartlett will not participate in the project in any capacity.

Nature of the Agreement:

MC3 has been awarded a grant from the NIH to conduct a research project entitled "A Vapor Based Manufacturing Process for Multifunctional Coatings of Implants." The Principal Investigator for the project is Associate Professor Joerg Lahann. The University proposes to enter into a subcontract with Michigan Critical Care Consultants, Inc. to participate in this research program.

Agreement Terms:

Under the project a total subcontract of \$80,100 is anticipated to cover the period of August 1, 2006 through April 31, 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 conflict of interest review will be done as appropriate

Impact of the Agreement:

The subcontract will permit the University to participate in MC3's NIH sponsored project, and therefore, will allow the University of Michigan to meet the goals and objectives approved by NIH.

Recommendation:

This matter has been reviewed and approved by the Medical School Conflict of Interest Board. In light of the disclosure made in this document and our finding that the Agreement was negotiated in conformance with standard University practices, I recommend that the Board of Regents approve of the University's entering into this agreement with the Michigan Critical Care Consultants, Inc.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Stephen R. Forrest". The signature is written in black ink and is positioned above the printed name and title.

Stephen R. Forrest
Vice President for Research

July 2007