



Elson S. Floyd College of Medicine

WASHINGTON STATE UNIVERSITY

Policy Title: Conflict of Interest Policy

Policy Number: EC.01.01.191203

Applies to: This policy applies to all WSU Elson S. Floyd College of Medicine paid and volunteer faculty, and administrators at all locations at which they work in any capacity.

Date: 12/03/2019

1.0 Policy Statement

It is the Elson S. Floyd College of Medicine policy that all faculty and key administrators, with decision-making authority affecting academic programs and students, identify all potential Conflicts of Interest.

2.0 Definitions

Affiliations and Commitments exist when an individual has a position of authority and control regarding the activities of an entity but does not include typical professional leadership activities such as being a member of a professional association.

Significant Affiliations and Commitments include:

- Ownership or investment in an outside business.
- Serving as a director, officer, partner, consultant.
- Outside professional or other activity.

Conflict of Interest (COI) means a significant interest held by an individual and/or immediate family member which could affect scholarship activities and any situation in which an interest has the potential to unduly influence or appear to influence clinical education, service, or educational activity. Conflicts of interest may be financial (involving the potential for financial gain), general (involving personal gain or privileges) or commitment (involving obligations, responsibilities or commitments) that could interfere with a faculty member/administrators' responsibilities. A faculty member or administrator may have a conflict of interest that involves faculty members/administrators, spouses, domestic partners or similar relationships, dependent children, and other family members residing in the same household

Financial Interest means anything of monetary value, whether the value is readily or not ascertainable.

Significant Financial Interest (SFI) means a Financial Interest of the individual and/or the individual's immediate family that is the amount and type which must be disclosed to WSU College of Medicine or which creates a Conflict of Interest. The College of Medicine and federal agencies have specific provisions establishing what constitutes SFI. Any of the following is considered a significant financial interest:

- Equity interest (e.g., stock, stock options) exceeding 5,000 dollars or



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more in the preceding 12-month span.

- Income or compensation for services (e.g., fees, loans, gifts, cash, or in-kind compensation)
- Intellectual property rights or interests (e.g. patents, copyrights, technology, educational materials)
- Sponsored travel

Gifts means any item, product, or service, regardless of the nature, purpose, or value. Examples of gifts include, but are not limited to: cash, cash equivalent (gift cards), stock, subsidies, property, use of property or equipment, promotional items (including office products with the vendor's logo), goods, donations, favors, prizes, offers of employment or business relationships, or anything reasonably regarded as providing a financial gain or advantage to either the recipient or his/her immediate family member. No faculty member or administrator may receive, accept, take, seek or solicit, directly or indirectly, anything of economic value as a gift or favor from a person if it could be:

- reasonably expected that the gift or favor would influence the vote, action, or judgment of the officer or employee, or
- be considered part of a reward for action or inaction.

If neither of these circumstances exist, faculty and administrators may accept gifts up to \$50 in value per calendar year.

Noncompliance is defined as the failure to comply with College of Medicine *Conflict of Interest* Policy and federal regulations. Noncompliance may span from inconsequential to serious, be accidental or intentional, and may occur more than once.

Serious noncompliance is conduct that:

- Adversely affects an individual's ESFCOM activities.
- Results from deliberate misconduct of the individual.
- Harms or poses a significant risk to other faculty, patients, and students.

3.0 Responsible Office

Office of Compliance

4.0 Procedures:

Dissemination

The College of Medicine Office of Compliance disseminates this policy to all College of Medicine faculty and administrators through established channels of communication.

Training and Education

The College of Medicine Office of Compliance is responsible for the training program content on conflicts of interest which is facilitated through a cloud-based conflict of interest application. Delivery of this program will be coordinated with the Office of Talent, Recognition, and Enhancement. Required training program will be incorporated



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into the onboarding process and during program rollout. Policies are published on the College of Medicine website for public access.

College of Medicine Conflict of Interest Committee (COIC)

The College of Medicine COIC reviews all pertinent documentation, including management plans relating to a potential or actual conflict of interest case based on federal and state law and policy. The COIC recommends to the Compliance Specialist what conditions and restrictions, if any, are to be imposed by the College of Medicine to manage the potential or actual Conflict of Interest. COIC is charged with being objective and independent. The Dean, except to the extent he/she has a Conflict of Interest, will decide all appeals as stated below. The COIC composed of a minimum of two faculty and one administrator who are appointed by the Dean to serve 3-year terms. One member of the COIC is to be nominated by the Faculty Council Executive Committee. The COIC Chair is appointed by the Dean upon recommendation of members of the COIC. Decisions are approved with a quorum of more than 75% of the voting members.

Reporting Responsibilities

All Conflicts of Interest outlined in this policy are managed by the Compliance Specialist in consultation with the COIC. It is the responsibility of faculty members/administrators to promptly self-report any Conflict of Interest. If COI is identified by another person, it must be first brought to the Office of Compliance. The Office of Compliance will then bring the potential or actual Conflict of Interest to the attention of the faculty member/administrator. If the faculty member/administrator disputes the individual's assertion, the concern will be then sent to the COIC for resolution. The COIC will determine if the potential or actual conflict exists and if the faculty member/administrator needs to disclose the potential or actual Conflict of Interest.

The Office of Compliance keeps all completed disclosure forms in a secure document management system. An individual can request to access their own disclosure forms through the Compliance Specialist. Faculty and administrators have the responsibility to complete the College of Medicine Disclosure Report upon any of the following:

- Annually
- Within 30 days of any action that could make a current disclosure obsolete or inaccurate including new positions or appointments, new affiliations, and commitments, or financial situations.

Disclosures

Any individuals seeking to request access to public records of College of Medicine, including Conflict of Interest disclosures, should contact Washington State University's Public Record Office located in Pullman. Where required by law, professional ethical canons, and/or WSU Policy, faculty are responsible for disclosing their Conflict of Interest to their students and patients.

Disclosures in Presentations



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It is the College of Medicine policy that all presentations/presenters deliver unbiased content in courses/presentations and disclose any potential or actual Conflict of Interest. If a presenter is using slides or other audiovisual media, they will be provided with the presentation materials that contain a slide clearly stating either a lack of a Conflict of Interest, or a disclosure of potential or actual Conflict of Interest.

Resolution and Management of Potential Conflicts of Interest

The College of Medicine requires that Conflict of Interest should be managed, reduced or eliminated by the divestiture of financial or commitment interest, a modification, or public disclosure and monitoring depending on the situation and the individual's role at College of Medicine. Disclosure is sufficient for treatment recommendations to patients, as well as educational and promotional presentations.

Administrative Recusal

The COIC and the Compliance Specialist receiving a report of a conflict are to be a neutral party. If he/she/they have a significant interest, one should recuse themselves from the discussion about the management, reduction or elimination of the reported potential or actual Conflict of Interest.

Advisory or Consultant Boards

Pursuant to the College of Medicine's Conflict of Interest Policy, those serving on speaker's bureaus and/or advisory or consultant boards must:

- Identify the conflict to other board members
- Identify the conflict to audience members
- Independently review actions that create a Conflict of Interest

Determination/Resolution

The Compliance Specialist submits the written Conflict of Interest management plan to the COIC. They approve a management plan that is effective in protecting College of Medicine from any perceived or actual Conflict of Interest. The Chair of the COIC communicates, in writing, the determination(s) of the COIC to the affected individual. The review is to be completed within 30 days of a determination of noncompliance. If a Conflict of Interest has previously existed, the Compliance Specialist requests a retrospective review. The retrospective review consists of a review of the affected individual's activities to determine whether any portion of the individual's College of Medicine activities was affected. The retrospective review is to be completed within 30 days of a determination of noncompliance. All final approved Conflict of Interest management plans must be complied with at all time. Failure to comply with a Conflict of Interest management plan may subject the faculty member/administrator to appropriate corrective action in accordance with College of Medicine and/or WSU policy.

Appeals

If a faculty member/administrator disagrees with a determination regarding a Conflict of Interest, she/he/they may appeal the outcome to the Dean. All appeals are to be made in writing within 15 calendar days of the date of the determination. Appeal determination is to be completed with 30 days. Documentation of appeal outcome is to be provided to



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faculty members/administrators and cognizant chair or vice dean and retained in the Office of Compliance’s secure data management system.

Research

Conflicts of Interest Arising from Significant Financial Interests of Individuals

Monitoring and management of conflict of interest in research are performed by the Office of Research at College of Medicine and Washington State University’s Conflict of Interest Support Team. Management of conflict of interest disclosure of research are in the purview of the Office of Research Support and Operations.

Review of Industry-Sponsored Clinical Research

Refer to ORSO Guideline 9 titled, *A Guide to Working with Industry Research Agreements with Washington State University*.

College of Medicine and Washington State University’s Institutional Review Boards (IRBs) are tasked with reviewing all human subject research, including sponsored research. The Office of Research at College of Medicine ensures that industry-funded studies are consistent and compliant with the mission and ethics of College of Medicine.

5.0 Related Policies

- AD.10.04.170425 Admissions
- EP #27 WSU
- RCW 42.52.140

6.0 Key Search Words

Conflict of Interest, Reporting, Disclosure, Compliance

7.0

Revision or Review History		
Original Approval	Policy number	Review/ Revision
12/03/19	EC.01.01.191203	

Responsible Office: Office of Compliance

Policy Contact: Compliance Specialist, Office of Compliance

Supersedes: None



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Disclosure Form Instructions

The Disclosure Report must be updated upon any of the following:

- (1) Annually
- (2) Within 30 days of any action that could make a current disclosure obsolete or inaccurate including new positions or appointments, new affiliations, and commitments, or financial situations.

Please submit all disclosure forms online. If you don't have any disclosures to report, please fill out and submit the first page of the form. If you do have disclosures to report, please complete and submit the attachment page along with the form.

Definitions:

Conflict of Interest (COI) means a significant interest held by an individual and/or related party which could affect the design, conduct or reporting research and scholarship activities. Conflict of interest involves any situation in which an interest has the potential to influence or appear to influence clinical education, service, or educational activity. Conflicts of interest may be financial (involving the potential for financial gain), general (involving personal gain or privileges) or commitment (involving obligations, responsibilities or commitments) that could interfere with a faculty member's primary responsibilities. Potential conflicts of interest apply to faculty members, spouses, domestic partners or similar relationships, dependent children, and other family members residing in the same household.

WSU College of Medicine Responsibilities means your responsibilities on behalf of the College of Medicine, including administrative or staff duties, teaching, the professional practice of healthcare delivery, and service on college committees or boards.

Intellectual Property means property rights that can be protected under federal and state law, including copyrightable works, ideas, discoveries, and inventions. Intangible property such as patents, trademarks, copyrights, and trade secrets are considered intellectual property.

Gifts mean any item, product, or service, regardless of nature, purpose, or value. Examples of gifts include, but are not limited to: cash, cash equivalent (gift cards), stock, subsidies, property, use of property or equipment, promotional items (including office products with the vendor's logo), goods, donations, favors, prizes, offers of employment or business relationships, or anything reasonably regarded as providing a financial gain or advantage to either the recipient or his/her immediate family member.

Related Party means employee's spouse/domestic partner, dependent children, and other dependent relatives living in their household.

Remuneration includes salary and any payment for services not otherwise identified as salary (e.g., consulting, honoraria, paid authorship).

Significant Affiliation means the individual has a position of authority and control regarding the activities or fund of the entity but does not include merely being a member of a professional association.

Sponsored Travel means that which is paid on behalf of you and not reimbursed to you.



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2020 DISCLOSURE FORM

Name: _____ Job Title: _____

Campus: _____ Supervisor: _____ Work: _____

Disclosures

(see definitions contained in the Instructions for this report)

1. **Significant Financial Interests: Do you, your spouse, and/or your dependent children (individually or collectively) have any of the following that would reasonably appear to be related to any of your College of Medicine responsibilities:**
 - a. **Own or control any equity interest (e.g., stock, stock options) in an entity in the amount of \$5000 or more within the last 12 months?**
 NO YES *(also complete attached)*
 - b. **Receive income or compensation for services (e.g., fees, honoraria, loans, gifts, cash, or in-kind compensation) from an entity in the amount of \$5000 or more within the last 12 months?**
 NO YES *(also complete attached)*
 - c. **Own intellectual property rights or interests (e.g. patents, copyrights, technology, educational materials) where there has been a receipt of income from those rights/interests?**
 NO YES *(also complete attached)*
 - d. **Reimbursed or sponsored travel from an entity?**
 NO YES *(also complete attached)*
2. **Significant Affiliation with External Entity: Do you, your spouse or your dependent child have a significant affiliation with any external entity that would reasonably appear to relate to any of your College of Medicine responsibilities?**
 NO YES *(also complete attached)*

Statement of Certification and Acknowledgement

(Please read each statement and check-off each box)

- Policy:** I have reviewed the College of Medicine's *Compliance and Ethical Conduct Policy* (EC.00.05.171003) and *Conflict of Interest Policy* (EC.01.01.191203). I understand these policies and agree to comply with them. The information I have provided is accurate and not false, erroneous, misleading, or incomplete. I will timely file an updated form if revisions occur prior to the college's annual submission date that may either (a) give rise to a new conflict of interest or commitment or (b) eliminate a conflict previously disclosed. Policies can be found at [Compliance and Ethical Conduct Policy](#) and [Conflict of Interest Policy](#).
- Official Disclosure:** I acknowledge this disclosure form is a reporting tool. I understand this disclosure form is the only authorized means by which I may make, as required by institutional policy, disclosures regarding outside activities and financial interests that originate or have the appearance of creating a Conflicts of Interest. Although I may elect to seek guidance by other means, I understand that no such action can result in the approval of outside activity or financial interests. I understand that authorized approval for outside activities and financial interests can only be granted with this disclosure form and in accordance with the college's Conflict of Interest Policy.
- Research:** Management of research conflict of interest disclosure are in the purview of the Office of Research Support and Operations. I understand this disclosure is not a mechanism to report research COI disclosures.



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Attachment

1. Please record below any Significant Financial Interests that would reasonably appear to be related to any of your College of Medicine responsibilities.

a. Please provide details of ownership or control of any equity interest in an entity that would reasonably appear to be related to any of your College of Medicine responsibilities:

b. Please provide details of any income or compensation for services from an entity that would reasonably appear to be related to any of your College of Medicine responsibilities:

c. Please provide details of ownership of intellectual property rights or interests that would reasonably appear to be related to any of your College of Medicine responsibilities:

d. Please provide details of reimbursement or sponsorship of travel from an entity that would reasonably appear to be related to any of your College of Medicine responsibilities:

2. Please record below any Significant Affiliation with an external entity that would reasonably appear to be related to any of your College of Medicine responsibilities:
