Disclosure of Interests and Management of Conflict Policy

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Division and Department:	**Executive Office/Center for Ethics and Professionalism**
Effective Date:	BOR approved September 12, 2023

Rationale

The American College of Physicians ("ACP" or "College") is a medical professional society organized for charitable, educational, and scientific purposes. ACP's mission is to "enhance the quality and effectiveness of health care by fostering excellence and professionalism in the

comply could result in disciplinary actions that may include limited participation or loss of an ACP Position(s).

All decisions made and actions taken by ACP Participants should be based on the best interests of the ACP, in accordance with ACP Policy and applicable state and federal laws and regulations.

Annual Disclosure Process. ACP Participants must disclose to ACP, following the procedures below, **all interests related to healthcare or to the specific charge or known issue(s) to be considered by the ACP group** ("**relevant interests**"). An "interest" is something important to an individual, often due to goals, commitments, or value. Common interests include *activities, relationships or benefits received.*

- ACP does not require disclosure of ideologies (e.g., beliefs, affiliations) or personal characteristics during the Annual Disclosure Process. Ideologies and personal characteristics may need to be disclosed to those leading the ACP work in which the ACP Participant is involved if they become relevant to the work required by an ACP Position.
- Not all "relevant interests" pose a conflict; or limit/exclude service on behalf of the ACP or involvement in a specific matter.
- ACP will determine when a conflict is present and how it will be managed, which may

Financial – involves money (e.g., honoraria, wages)

disclosures by categories, time frames and dollar thresholds. (Exceptions to use of Convey are noted below.)

ACP Participant's disclosures may be made public at ACP's discretion. Disclosures for all

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- Intellectual interest associated with a low risk entity and related to the content of the ACP work
  - Direct or indirect
  - Active or inactive

Immediately Following each Meeting

Staff liaisons will advise the Executive Office of any changes in members' disclosures that should be reflected in the electronic disclosure system.

Staff liaisons will assure that members update their records during or following the meeting.

Member of the BOR and Fiduciary Relationships with other Organizations

Given the fiduciary responsibility that members of the BOR have to ACP, which must be primary, any simultaneously held fiduciary relationships with other organizations must be disclosed and carefully evaluated for conflicts or potential conflicts that could compromise the ACP Participant's role on the BOR and may require restricted participation or disengagement from one of the fiduciary roles. In these circumstances, the following ad hoc group will be convened by the Governance Committee Chair to evaluate the simultaneously held fiduciary relationship and determine how it should be managed during the ACP Participants time on the BOR. The ad hoc group will make a recommendation to the Governance Committee for how to manage the simultaneously held fiduciary relationship, based on the extent to which it is deemed to conflict with the BOR member's fiduciary responsibilities to ACP. The Governance Committee will determine how to proceed and make any recommendations for restricted participation or roles to the BOR who will make the final determination.

Ad hoc Group to Evaluate Simultaneous Fiduciary Relationships for Members of the BOR
--President or President-elect
--BOR Chair or Chair-elect
--Two Regents not members of the Governance Committee
--COO or VP Governance

ACP Standing or Technical Appointees appointed per Relationships with Other Organizations policy (Roles, Re8 (e)r.81 0 Td (ijEink 8 (n)1Eink 8 (n -24.0DC 0 0.52m)4 (i0.0)4 ( )-1)-2 (b0.0)4 ( )-1DC 0 2nRI103

- Appointees who do not complete their disclosure in a timely manner or refuse to do so for any reason are subject to removal from all ACP Positions.

Staff responsible for the appointment should obtain a report of the appointee's disclosure(s) of interest (requests may be made through the Executive Office).

Staff responsible for the appointment review disclosures following the guidelines in the procedure "Prior to Each Governance Meeting" above and determine if any disclosures result in conflicts that should limit the appointees particapti (m)4 (i)iti (m)6 (uw 12 -0i (m)6 (uw-M2)10 (a)4 (pp)10Art

guide. Specific disclosure and management processes may differ by publication and role and are approved by the Executive Office.

- ***Notification***
  Prior to engaging in any activity for or on behalf of the ACP, all individuals must be provided this policy and required to complete the disclosure process.
- This policy and information about the disclosure and conflict management process will be distributed yearly.
- Updates for any changes in circumstances (such as an interest not previously reported or one recently re-active) should be reported as they arise if outside of the disclosure reporting cycle. Disclosures of "relevant interests" will be forwarded by the relevant committee staff liaisons to the committee's Chair and Vice Chair prior to the committee's next meeting.
- All staff orientation packets will contain the Disclosure of Interests and Management of Conflicts Policy, and it will be incorporated into the ACP staff Policy and Procedures Compendium.
- All ACP meeting agenda books will include a standing agenda item for disclosures of "relevant interests" review at the start of the meeting, the discussion of which is recorded in the minutes.
- All ACP meeting agenda books will contain the following reminder on its own separate page positioned before any content pertaining to agenda items:

  Members of the committee are reminded that they must abide by the College's Disclosure of Interest and Management of Conflict policy and must disclose any relevant interest to the full body, as the matter arises. The member should not participate in discussion of and/or not vote on the matter at issue, as determined by the Chair. Abstentions and the reason for the abstention should be recorded in the meeting minutes. If the person's presence will inhibit open discussion of the issue, the person should also not be present for that discussion, at the option of the Chair. If the Chair has a conflict, the group shall decide on the Chair's level of participation, or the matter can be referred to the Chair to whom he or she reports.

Disclosure and review of interests, conflicts identified and their management must be recorded in the minutes.

- Patient advocate consultant or employee of a nonprofit focused on patient and family centered care who is a member of the Patient and Interprofessional Partnership Committee.
- Medical Practice and Quality Committee member who owns a concierge practice while the committee is working on related policy.

Active financial interest associated with a high-risk entity and not related to the ACP work. Direct or indirect

- Funding from pharma for a grant on afib while a member of the Volunteerism Committee.
- Stock ownership in a biotech company while serving on the Physician Well-being and Professional Fulfillment Committee.

- Federal grant in a clinical topic area while serving as a Regent.
- State employee working on Medicaid while serving on the ACP Credentials Committee.

Intellectual interest associated with a low-risk entity and not related to the ACP work.
Active or inactive. Direct or indirect

- Author of a clinical guideline for a subspecialty society while serving on the Ethics, Professionalism and Human Rights Committee.
- Member of the test writing committee for a certifying board while serving as an ACP Governor

Originator: Lois