

Conflict of Interest



A Good Place to Start

“The truth of the matter is that you always know the right thing to do. The hard part is doing it.”

– *General H. Norman Schwarzkopf*



MU COI Disclosure Regulations

- Policy on Conflict of Interest
 - Collected Rules and Regulations Ch. 330.015
 - Business Policy Manual Sec. 102
- Conflict with the Interests of Federal Grant Agencies
 - Collected Rules and Regulations Ch. 420.030



CRR 330.015 Policy on Conflict of Interest & BPM-102 Conflict of Interest

- University employees shall faithfully discharge their duties and shall refrain from knowingly engaging in **any outside matters of financial interest** incompatible with the impartial, objective, and effective performance of their duties. They **shall not realize personal gain in any form** which would influence improperly the conduct of their University duties. They shall not knowingly use University property, funds, position or power for personal or political gain. They shall inform their supervisors in writing of reasonably foreseen potential conflicts.

CRR 330.015 Policy on Conflict of Interest: Gift Policy

Prohibition Against Acceptance of Gifts: Employees of the University of Missouri shall avoid accepting gifts for personal use, directly or indirectly, from prohibited sources, except as permitted in Section 320.015(C)(2) below. For the purposes of this policy, the following definitions shall apply:

- *Gift* – Gift shall mean any tangible or intangible item or items having a monetary value in excess of \$75.
- *Prohibited Source* – Prohibited source shall mean any person or entity, public or private, outside the University, with interests, financial or otherwise, that may be substantially affected by the recommendations, decisions, performance or non-performance of the official duties of the employee.

CRR 330.015 Policy on Conflict of Interest: Gift Policy

Prohibition Against Acceptance of Gifts: Exceptions: the following shall not be considered a violation of this policy:

- Gifts that are available to the employee on the same conditions as for the general public;
- Educational materials utilized in the performance of the employee's University job;
- Awards or honoraria administered by or through the University;
- Gifts from the employee's relatives, by blood or marriage;
- Any item of food, refreshment, entertainment or other benefit provided to the employee while attending a meeting, conference or convention provided on the same conditions as for other attendees; and
- Any gift if approved in writing in advance by an administrative superior who is a University General Officer.

CRR 420.030 Conflict with the Interests of Federal Grant Agencies – Investigator's Duty

- Each investigator shall disclose to the reviewer(s) all **significant financial interests** of the investigator (including those of the investigator's spouse and dependent children) that would reasonably appear to be directly and significantly affected by the NSF- or PHS-funded research or educational activities; or in entities whose financial interests would reasonably appear to be directly and significantly affected by such activities.
- This information must be disclosed:
 - at the time the proposal is submitted;
 - on an annual basis during the project period; and
 - immediately as new significant interests are obtained.

For PHS proposals and awards, subgrantees, contractors and collaborators shall have the same duty to disclose as investigators. Investigators shall have the responsibility to submit the relevant financial disclosure of subgrantees, contractors or collaborators.

“Significant Financial Interest”

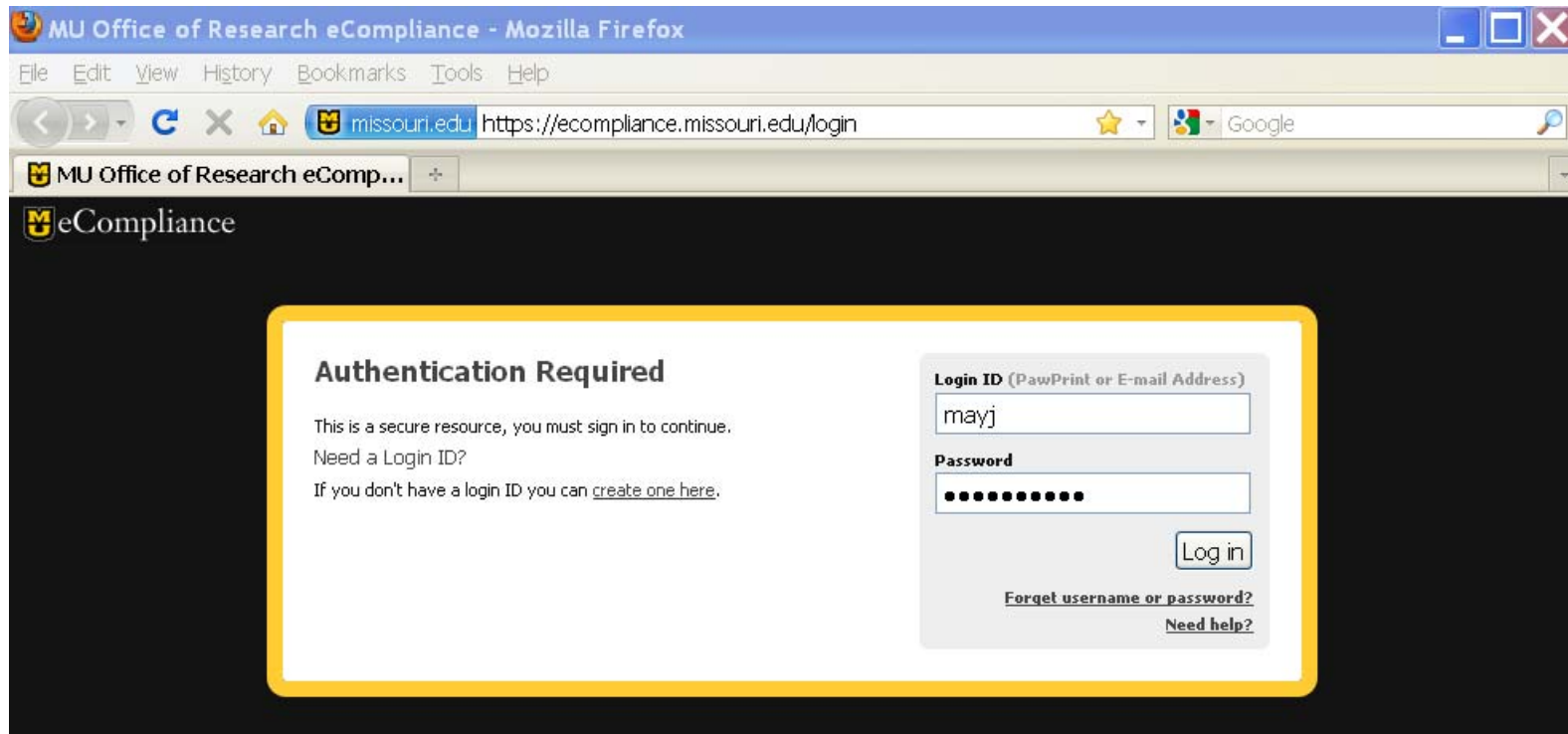
- An interest held by you, your spouse, and/or dependent children:
 - reasonably appear to be affected by the research for which funding is sought (*or the contract/activity being proposed*), or
 - in entities whose financial interest reasonably appears to be affected by research (*or the contract/activity being proposed*)

Rules of Thumb

- “If a researcher has any reason to care how his research turns out, it’s a conflict of interest.” – Greg Koski
- Benchmark for financial disclosure policy
 - \$10K or minimum 5% equity
- No monetary minimum for UM COI policy to be implicated
 - ANY *perceived* conflict requires disclosure!
 - *Gift policy allows \$75 maximum value.*

COI Disclosure Submissions

- Online portal
- Outside Interest Disclosure Form
 - ecompliance.missouri.edu



MU Office of Research eCompliance - Mozilla Firefox

File Edit View History Bookmarks Tools Help

missouri.edu <https://ecompliance.missouri.edu/login> Google

MU Office of Research eComp...

eCompliance

Authentication Required

This is a secure resource, you must sign in to continue.
Need a Login ID?
If you don't have a login ID you can [create one here](#).

Login ID (PawPrint or E-mail Address)

Password

Log in

[Forgot username or password?](#)
[Need help?](#)

Disclosure required when...

- Research grant or contract is proposed
- Research program implicates contracts in other areas
- Whenever an employee's financial situation changes during a contract period
- Entering into overlapping business activities
 - teaching, research or service missions of MU

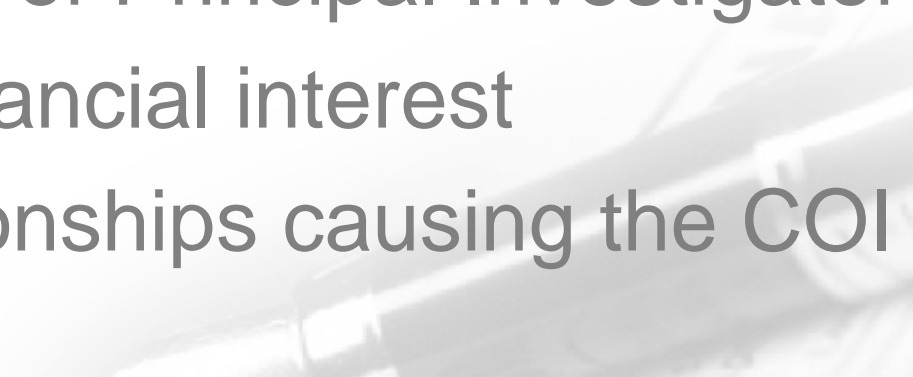
Disclosure required when...

- Full-time employment is implicated
 - Conflict of Commitment
- Transactions between MU and the outside entity an employee works/consults for
- Faculty-authored textbooks/educational materials assigned to MU students
 - CRR 330.015(C)(5) – forfeit royalties

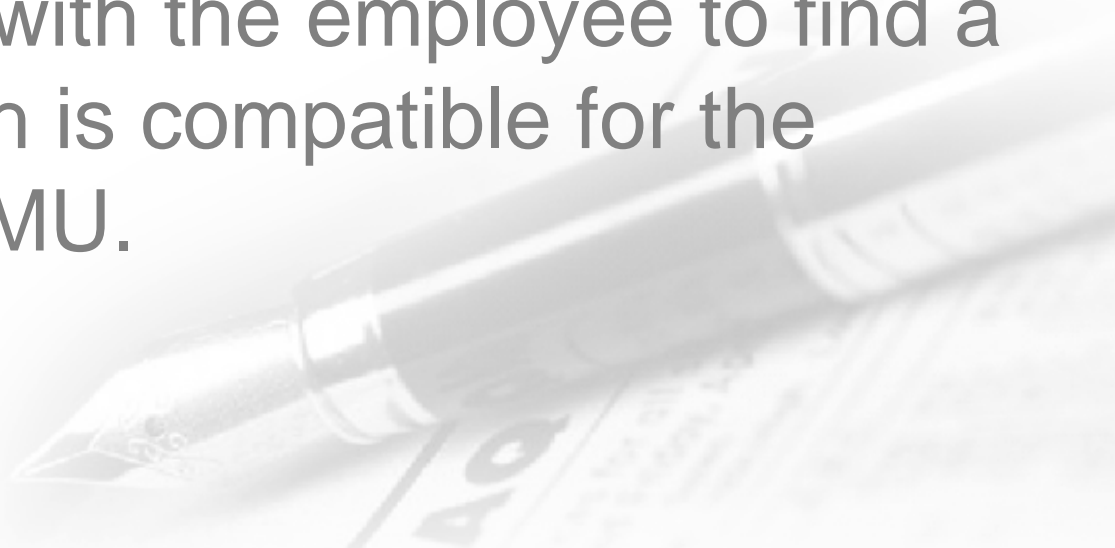
Possible Outcomes of COI Review

- No COI detected – letter to that effect
- COI detected –
 - Unmanageable – activity not permitted
 - Manageable – divestiture or management plan
- Typical management plan structure
 - Developed in consideration of employee's goals
 - Conditions set
 - Oversight Committee created
 - Typically including a department chair, associate dean and a knowledgeable faculty member
 - Approved by Deputy Chancellor
 - Annual report to Conflict of Interest Committee

Options for Management of COI

- Public disclosure of financial interest
 - Monitoring of activity by independent reviewers
 - Modification of research plan
 - Disqualification of Principal Investigator
 - Divestiture of financial interest
 - Severing relationships causing the COI
 - Be Creative!
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Bottom Line

- Absolute “NO” – rare outcome
 - When “No” is the answer, it is typically due to the involvement of human subjects in medical research
 - The MU Conflict of Interest Committee strives to work with the employee to find a resolution which is compatible for the employee and MU.
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Case Studies

Participation Time!

Conflict of Interest

- Duncan, an MU employee, coordinates catering for breakfast meetings at MU. He also owns a doughnut shop downtown. Duncan decides to simplify matters and routes catering contracts to his doughnut shop. Conflict?
- Dr. Phil is a medical researcher at MU. He has become quite market savvy and has purchased stock in Drugs R Us Group, a pharmaceutical company. Phil proposes to conduct a clinical trial of Next-big-thing, a new drug produced by DRUG. DRUG is the sponsor of the trial. Conflict?
- Truman is an agricultural researcher at MU. He is conducting a field trial of Hawker-Kill, a new herbicide produced by Agri-cat Chemicals of Manhattan, KS. Each year, Agri-cat takes Truman on a bird hunting trip to Canada. Conflict?

Conflict of Interest

- Dr. Phil is now a quite successful medical researcher. He routinely conducts trials sponsored by DRUG and spends most of his time at UMHC. DRUG decides to open an account allowing Phil to charge coffee and incidentals at Lakota in the hospital foyer. Conflict?
- Dr. Phil proposes to conduct research on Really-big-thing produced by DRUG. MU owns 33% of DRUG's stock and receives \$3 million in royalties annually from sale of Really-big-thing. Conflict?

THANK YOU!

*Please feel free to contact us
if you have any questions!*

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