

Conflict of Interest (Form F)

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Why is this necessary?

- As a UK faculty your expertise and reputation make you “in demand”
- We want you to share your expertise and knowledge
 - but in a safe and compliant manner
- We need to consider conflict of commitment, conflict of interest, or the appearance of such

Conflict of Commitment

- When additional activities interfere with the faculty's professional obligations to the University, including students, colleagues, and university missions
- As a simple rule, this would apply to daytime activities
- Conflict of commitment can occur for internal or external overloads

Conflict of Interest

- Working outside one's assignment period, such as evenings, weekends, vacation time or non-assignment period (summer) alleviates conflict of commitment
- However, conflict of interest must still be addressed
- This includes where your private interests may conflict with University position or interests
- Thus, a form F must still be submitted, even when there is no conflict of commitment concern

Three Conflict of Interest Processes*

**Research
Conflict of Interest
(University)**

**Healthcare Conflict
of Interest
(UK HealthCare)**

**Faculty Form F/
Overload Process**

- Based on University and/or Enterprise Policies and Procedures
 - Governing Regulations: GR X; XIV B. 9 & 10
 - Administrative Regulations: AR 3:14; 3:9, 7:2; 7:6; 7:9
 - UKHC Policy Numbers: A01-030; A01-105; A01-155; A01-160

**new process coming FY24*

Research Conflict of Interest

University (AR 7:2)

Who: All full-time faculty that receive extramural research funding of any kind or serve as a sub-investigator on any human subjects research

When: Annually by March 31st. Any new disclosures need to be entered within 30 days
– *COI smart system*

- Required Disclosures:

- Income from, or ownership in, publicly traded companies of \$5,000 or more
- Income from, or ownership, in non-publicly traded companies of any value
- Appointments at other institutions or entities, regardless of income
- Intellectual Property income from outside of the UK
- Relationships (awards, positions, incentives, gifts, or money) with foreign universities, companies, governments, hospitals, or other foreign groups
- **PHS-funded investigators** - travel sponsored by any entity outside of UK. Excluded are trips sponsored by a US government agency, whether federal, state, or local, or if sponsored by an institute of higher education within the US

HealthCare Conflict of Interest

UK HealthCare

Who: All full-time faculty, regardless of title series, in any of the six health care colleges

When: Annually (opens each March) – *COI smart system*

- Required Disclosures
 - All professional income from sources other than the University of Kentucky
 - Any travel paid for by an entity other than UK or KMSF
 - All outside employment and consulting agreements
 - Relationships with vendors, including research support, vendor boards, and advisory boards
 - Participation in vendor sponsored or supported educational or informational programs
 - All other relationships with vendors

Faculty Form F/Overload Process

Who: All full time Faculty (9-12 month assignment), regardless of title series

When: Prior to the commencement of overload activity, as required by AR 3:9

- Required Disclosures:
 - ***Any work outside the usual assignment, internal or external***
 - Professional or educational outside activities
 - Services on boards, committees, or commissions
 - Speeches or lectures (paid/unpaid external or paid internal)
 - Federal study section participation (e.g., NIH, DOD, NSF, VA)
 - only if it exceeds more than four times in a year
 - however, all study section reporting is required for annual Conflict of Interest Committee (UK HealthCare) disclosure.

When is a form F Not Required?

- Occasional service on review panels, site visit teams, professional committees or boards and related voluntary professional services
- Occasional lectures or seminars at other institutions
- Occasional telephone or office consultation
- Occasional reading and evaluation of manuscripts, writing reviews, serving as expert witness, rendering professional opinions in depositions, etc.

- Occasional: 4 or fewer instances per year
- Compensation \leq \$1000 per occasion

Navigating Conflict of Interest Reporting

HealthCare Conflict of Interest

Research Conflict of Interest

Faculty Form F/ Overload

myUK

Employee Self Service | Student Services | **Enterprise Services** | my UK

IT Service Request | **Workflow** | Facilities Management | Appointments &

Workflow Items

Detailed Navigation

- Workflow Items
- eCats Report
- Travel Document Workflow Tracking
- OSPA eIAF Form
- Financial Disclosure**
- Graduate School Appt Form
- Faculty Overload Form**

Tasks Alerts Notificatio

Show:

| Subject |
|---------|
| |
| |

Filing Overload Requests

Note: time defaults to days, not hours

Faculty Overload

External Overload

Person ID: *

Dates Covered by Request: * to: *

Total Days: * One Hour = 0.125 days

External Employer: *

Total Compensation: *

Briefly Describe the Activity: *

Enter details; If there is a contract attach it here

Faculty Form F/Overload Denial Appeal Process

- Faculty may appeal a form f/overload denial
 - Step 1: appeal with the Department Chair
 - Step 2: Department Chair can support appeal and forward to the Dean
 - Step 3: Dean will make a decision and notify the faculty member and the department chair, usually within five (5) business days
- An appeal denied by the College Dean may be appealed at the Provost level
- Provost decision is final

Limits

- There are defined compensation and time limits

| Internal Overload Limits | | | | |
|---|--------------------|---------------------|---------------------|---------------------|
| | 9 month assignment | 10 month assignment | 11 month assignment | 12 month assignment |
| Pier diem compensation shall not exceed | 1/195 | 1/217 | 1/238 | 1/260 |
| Total internal overload compensation shall not exceed | 39/195 | 39/217 | 43/238 | 48/260 |

| Limits on Overall Combination of Consulting and other Overload During a Regular Assignment Period | | | | |
|---|--|---|---|---|
| | 9 month assignment (No vacation allowance and covers period August 16 - May 15) | 10 month assignment (1 month vacation allowance) | 11 month assignment (1 month vacation allowance) | 12 month assignment (1 month vacation allowance) |
| Maximum days for consulting and overload | 39 days | 39 days | 43 days | 48 days |

Preliminary wo

Reminders

- When in doubt, disclose
- “Faculty employees engaged in consulting and other overload activities must not use the name of the University of Kentucky in such a manner as to suggest institutional endorsement or support of a non-University enterprise” (AR 3:9)
- Speaker’s Bureau* participation is generally not permitted
- Moonlighting** outside of the practice plan is not allowed

**Speaker’s Bureau is any presentation where the outside interest controls content, rather than you*

***clinical faculty may not practice outside of their KMSF agreement*

References

- Governing Regulations
 - [GR X Regulations Affecting Employment](#)
 - [GR XIV B. 9 & 10 Conflicts of Commitment and Conflict of Interest](#)
- Administrative Regulations
 - [AR 3:14 Practice Plans for Health Sciences Colleges and University Health Services](#)
 - [AR 3:9 Faculty Consulting and Other Overload Employment](#)
 - [AR 7:2 Financial Conflict of Interest Involving Research](#)
 - [AR 7:6 Intellectual Properties Policy and Procedures](#)
 - [AR 7:9 Institutional Conflicts of Interest Involving Research](#)

