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*

- 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 ≤ $1000 per occasion
Navigating Conflict of Interest Reporting

HealthCare Conflict of Interest

Research Conflict of Interest

Faculty Form F/Overload

Preliminary working document. Confidential and proprietary.
Filing Overload Requests

Note: time defaults to days, not hours

Enter details; If there is a contract attach it here

Faculty Overload

External Overload

- Person ID: [ ]
- Dates Covered by Request: 05/01/2013 to 05/30/2013
- Total Days: 5.000
- One Hour = 0.125 days
- External Employer: Toyota Manufacturing Inc.
- Total Compensation: 5,000.00

Briefly Describe the Activity: Design and test improved assembly method for the Camry wiring harness.

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
• There are defined compensation and time limits

<table>
<thead>
<tr>
<th>Internal Overload Limits</th>
<th>9 month assignment</th>
<th>10 month assignment</th>
<th>11 month assignment</th>
<th>12 month assignment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pier diem compensation shall not exceed</td>
<td>1/195</td>
<td>1/217</td>
<td>1/238</td>
<td>1/260</td>
</tr>
<tr>
<td>Total internal overload compensation shall not exceed</td>
<td>39/195</td>
<td>39/217</td>
<td>43/238</td>
<td>48/260</td>
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<tr>
<th>Limits on Overall Combination of Consulting and other Overload During a Regular Assignment Period</th>
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<tr>
<td>Maximum days for consulting and overload</td>
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<tr>
<td>39 days</td>
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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