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: <u>Annually</u> 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

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HealthCare Conflict of Interest

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

When: <u>Annually</u> (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

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All other relationships with vendors

Faculty Form F/Overload Process

Who: All full time Faculty (9-12 month assignment), regardless of title series **When:** <u>Prior</u> to the commencement of overload activity, as required by AR 3:9

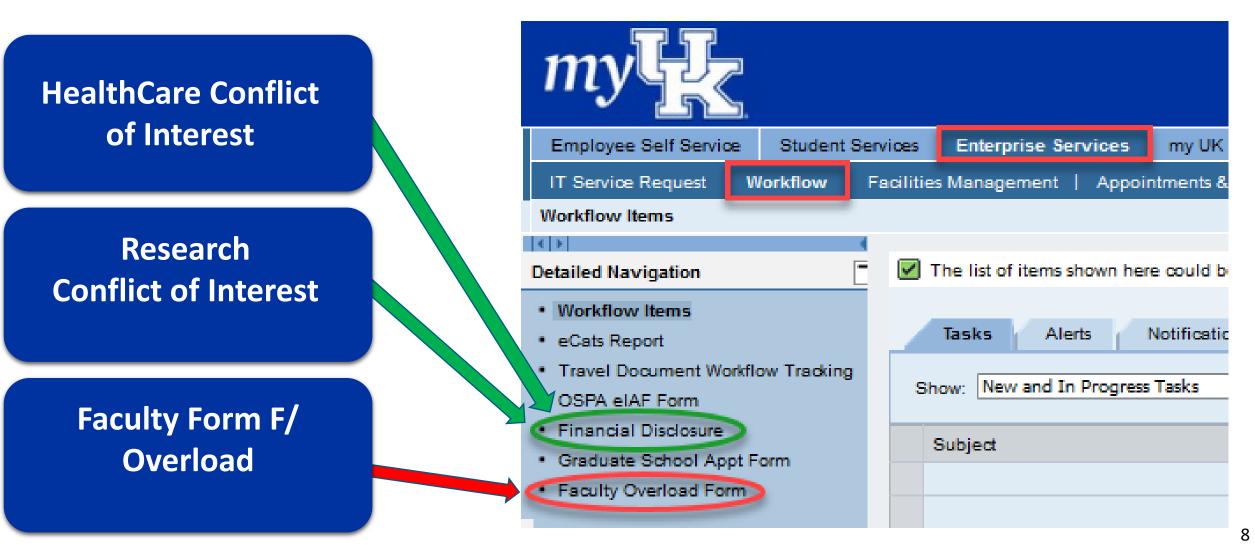
- Required Disclosures:
 - Any work outside the usual assignment, internal or external
 - Professional or educational outside activities
 - Services on boards, committees, or commissions
 - Speeches or lectures (paid/unpaid external or paid internal)
 - Federal study section participation (e.g., NIH, 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.

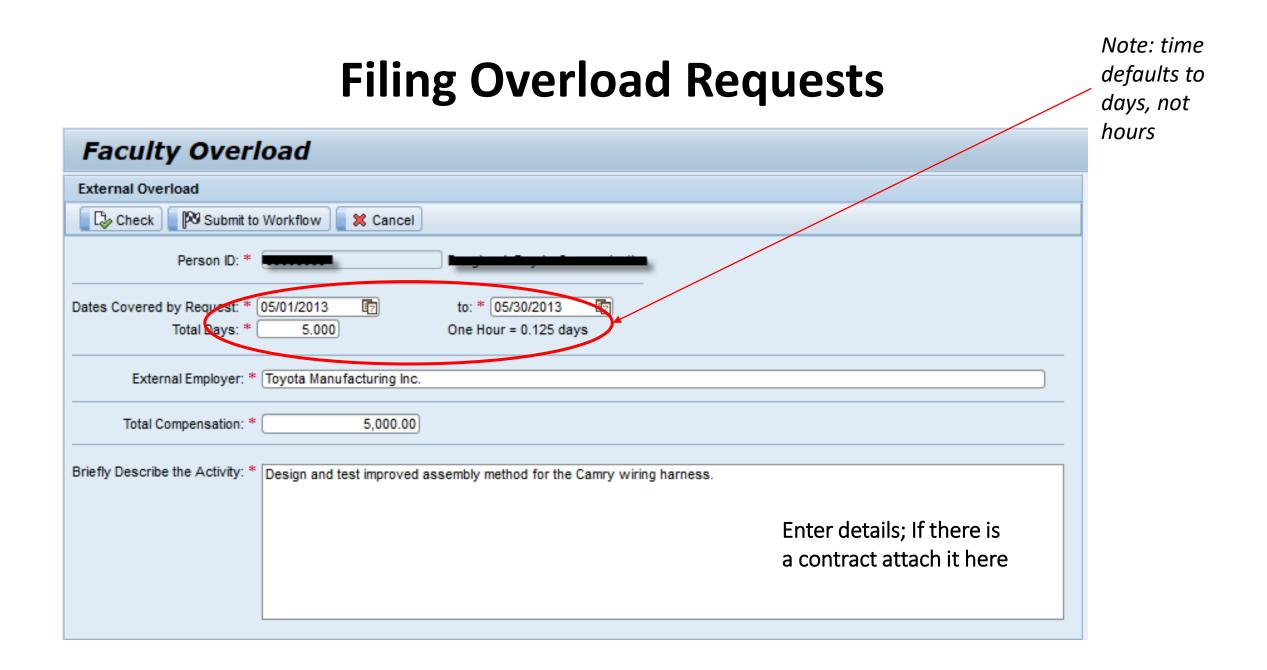
When is a form F Not Required?

- 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





Faculty Form F/Overload Denial Appeal Process

- Faculty may appeal a form f/overload denial
 - <u>Step 1:</u> appeal with the Department Chair
 - <u>Step 2:</u> Department Chair can support appeal and forward to the Dean
 - <u>Step 3:</u> 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)		
Preliminary wo	Maximum days for consulting and overload	39 days	39 days	43 days	48 days		

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

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