Society of General Internal Medicine Conflict of Interest Policy

**Rationale:** The Society of General Internal Medicine (SGIM) is an international organization of physicians, educators, researchers, residents, medical students, and others who combine caring for patients with educating and/or doing research. The Society is dedicated to improving patient care, education, and research in primary care and general internal medicine. In carrying out this mission, the Society seeks to exemplify professionalism and integrity of all who represent it or who are associated with the Society or its name.

SGIM is a nonprofit, tax-exempt organization. Maintenance of its tax-exempt status is important both for its continued financial stability and for public support. Therefore, the IRS as well as state regulatory and tax officials view the operations of SGIM as a public trust, which is subject to scrutiny by and accountable to such governmental authorities as well as to members of the public.

Consequently, there exists between SGIM and its Council, officers, and management employees and the public a fiduciary duty, which carries with it a broad and unbending duty of loyalty and fidelity. The Council, officers, and management employees have the responsibility of administering the affairs of SGIM honestly and prudently, and of exercising their best care, skill, and judgment for the sole benefit of SGIM. Those persons shall exercise the utmost good faith in all transactions involved in their duties, and they shall not use their positions with SGIM or knowledge gained therein for their personal benefit. The interests of the organization must be the first priority in all decisions and actions.

Not all relationships create conflicts of interest; nevertheless, the existence of a relationship such as those described in this document can create the potential for or appearance of conflict of interest. Full disclosure and transparency regarding relationships with commercial entities helps to reduce the appearance of conflict of interest. It also helps to uphold the integrity of the organization and its actions.

This policy addresses financial relationships held by individual SGIM members. Financial relationships involving SGIM as an organization are addressed by SGIM’s policy on Acceptance and Disclosure of External Funds.

**Definitions:**

**Company:** A Company is a for-profit entity (other than the individual’s primary employer) that develops, produces, markets, or distributes drugs, devices, services or therapies used to diagnose, treat, monitor, manage, and alleviate health conditions

**Immediate family member:** Spouse or dependent children for tax purposes

**Responsible official:** Anyone in a position to control or influence the content of a Society program or who is involved in the planning or execution of any Society activity, and others, while acting on behalf of the Society

**Key society leaders:** Officers, Council Members (including ex officio Members such as JGIM editors-in-chief), and Executive Director.
Policy:
The primary elements of this policy are to require disclosure of prior relationships that may infer conflict of interest or commitment. This policy is directed not only to directors and officers, but also to all employees and other individuals who can influence the actions of SGIM.

1. Elected officers, SGIM staff, chairs and members of all types of committees, anyone in a position to control or influence the content or who is involved in the planning or execution of any Society activity, and others, while acting on behalf of the Society (hereafter referred to as “responsible officials”), must be aware of and seek to avoid conflicts of interest or even the appearance of a conflict of interest. All decisions and actions should be based on the best interests of the Society, in accord with Society policy and applicable state and federal law regulations. Society staff shall be accountable to the Executive Director.

2. A current or former SGIM responsible official shall not use his or her affiliation or the SGIM name for personal or commercial gain. A former SGIM responsible official shall not use that prior affiliation or the SGIM name in any manner that may imply SGIM support or endorsement.

3. The SGIM Ethics Committee will review reports from responsible officials on an annual basis and make reports and recommendations to Council regarding any concerning relationships disclosed.

4. The SGIM Ethics Committee will evaluate on a yearly basis the overall impact of any trends in financial or other relationships based on the review of individual disclosures, and provide a report to Council.

5. This policy shall be posted on the SGIM website in order to be available to SGIM members and the public.

6. Disclosed conflicts of interest will be made available on the SGIM website to SGIM members and the public.

7. SGIM requires disclosures by all responsible officials of any relationships over the past three years, to be updated annually.

8. The SGIM Conflict of Interest Disclosure System shall include categories of required disclosures, time frames and dollar thresholds for reporting.

Administration: Executive Director, Elected Officers, Council, Ethics Committee

Section 1: Areas in Which Potential Conflict May Arise:
A conflict of interest can exist when a person (or his or her immediate family, business partner, employer, or institution) has a relevant direct or indirect interest or relationship that is or may be inconsistent with, conflicts with, or prevents the person from carrying out or otherwise fulfilling the responsibilities, duties, loyalty, or exercise of independent judgment, in a matter involving the Society. These relationships are often, but not always, financial. Conflicts of interest may arise in the relations of directors, officers, and management employees with any of the following third parties:
1. Persons and firms supplying goods and services to SGIM.
2. Persons and firms from whom SGIM leases property and equipment.
3. Persons and firms with whom SGIM is dealing or planning to deal in connection with the gift, purchase or sale of real estate, securities, or other property.
4. Competing or affinity organizations.
5. Donors and others supporting SGIM.
6. Agencies, organizations and associations which affect the operations of SGIM.
7. Family members, friends, and other employees.

A conflict of commitment can exist when a person (or his or her immediate family, business partner, employer, or institution) has a relevant formal or informal commitment to another organization or entity that creates conflicts with, or prevents the person from carrying out or otherwise fulfilling the responsibilities, duties, loyalty, or exercise of independent judgment, in a matter involving the Society.

Section 2: Continuing Medical Education:
For faculty, authors and anyone in a position to control or influence content or who is involved in the planning or execution of an educational activity, the Accreditation Council for Continuing Medical Education (ACCME) requires disclosures of direct or indirect financial relationships in any amount with any entity producing, marketing, reselling, or distributing health care goods or services consumed by, or used on, patients. All SGIM continuing medical education activities will continue to comply with relevant program accreditation standards.

Section 3: Interpretation of This Statement of Policy:
The areas of potential conflicting interest listed in this policy are not intended to be exhaustive. Conflicts might arise in other areas or through other relations. It is assumed that the directors, officers, management employees, and all responsible officials will recognize such areas and relation by analogy.

The fact that one of the interests described this policy exists does not necessarily mean that a conflict exists, or that the conflict, if it exists, is material enough to be of practical importance, or if material, that upon full disclosure of all relevant facts and circumstances it is necessarily adverse to the interests of SGIM. However, it is the policy of the Council that the existence of any of the interests described in this policy shall be disclosed before any transaction is consummated.

If there is any uncertainty about whether or not there is a potential conflict, the individual should err on the side of full disclosure. It shall be the continuing responsibility of the Council, officers, and management employees to scrutinize their transactions and outside business interests and relationships for potential conflicts and to immediately make such disclosures.

The existence of a relationship does not automatically exclude the responsible official from service on behalf of the Society or involvement in a specific matter, although each individual is expected to consider carefully whether they should abstain from or limit their participation in decision-making that relates to the conflict in light of the potential conflicting interest.

Procedure:
Disclosure of a Conflict of Interest or Potential Conflict of Interest: SGIM’s policy to regulate conflicts of interest consists of disclosure, self-monitored abstention from participation in decision-making that relates to the conflict, and adjudication of potential conflicts of interest situations by the Ethics Committee.

All responsible officials will be requested at the time of their appointment and annually thereafter to execute a disclosure. Returning Council members will be offered the option of completing a ‘No
Change’ form. In addition, nominees for elected office shall complete disclosures prior to the election, to allow for review by the SGIM Ethics Committee to identify any conflicts of interest that might preclude holding elected office. The SGIM Ethics Committee will review conflict of interest disclosures of nominees and key society leaders on an annual basis and make recommendations to Council for their management (e.g., disclosure of a conflict to Council, recusal from Council discussions related to a conflict, or severing a conflict prior to commencing leadership). Any disclosures by nominees shall be included in the ballot information distributed to members.

The disclosure requests information including whether the responsible official or any immediate family member (spouse or dependent child):

a. Employed as staff or consultant by a company that produces health care goods or services

b. Own stock, options or a similar interest in a company that produces health care goods or services

c. Serve as a consultant for a pharmaceutical company, medical device maker or other company that produces health care goods or services

d. Serve as a member of a speakers bureau for a pharmaceutical company, medical device maker or other company that produces health care goods or services

e. Receive grant money from a pharmaceutical company, medical device maker or other company that produces health care goods or services

f. Receive licensing fees, royalties or other similar income from a pharmaceutical company, medical device maker or other company that produces health care goods or services

g. Hold patents, copyrights or other intellectual property rights with a company that produces health care goods or services

h. Received gift(s) from a company that produces health care goods or services

i. Served as an expert witness in which you were paid for expert testimony on behalf of a company that produces health care goods and services

j. Receive reimbursement for travel and lodgings from a company that produces health care goods or services

In addition, responsible officials should disclose any potential non-financial conflicts of commitments. Specifically, each responsible official should disclose whether they or an immediate family member have any relationship, commitments, or activities that might reasonably be perceived as involving or creating the appearance of a conflict of interest or commitment. (For example, you are in a leadership role in an organization that may stand to benefit from a policy, program decision, or advocacy position taken by SGIM; e.g. program director for Title VII funded program on Health Policy committee that is advocating for Title VII funding)
**Extent of Financial Relationship: Existence and Amount**
In each category, the responsible official should disclose *both* the existence of a relationship and the amount of any financial arrangement. Such disclosure should indicate whether the amount of financial support received within the prior 3 years falls into specific categories:

- None
- <$10,000
- $10-50,000
- >$50,000

**Additional Concerns**
In the event that a potential conflict of interest situation arises about which explicit policy does not exist, the Ethics Committee will hear and judge the appeal, making recommendations regarding appropriate action to Council.

Disclosure and review of specific conflicts should be recorded in the minutes as above. There should also be documentation at the end of the meeting minutes that any conflicts were considered and addressed.

SGIM Ethics Committee

*Draft policy from Finance Committee reviewed and incorporated October 30, 2009.*
*Originally drafted by the Ethics Committee March 12, 2010 and approved by Council April 2, 2010.*
*Adapted from COI policies of the American College of Physicians and American Board of Internal Medicine, and Council of Medical Specialty Societies Code for Interactions with Companies.*
*Revised by Ethics Committee March 16, 2012 and approved by Council May 9, 2012.*
*Revised by Ethics Committee August 17, 2012 and approved by Council September 14, 2012.*