



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 or financial gain. The interests of the organization must be the first priority in all decisions and actions. SGIM adopts the Council of Medical Specialty Societies Code for Interactions with companies regarding conflict of interest for key society officials.

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 or educational products used to diagnose, treat, monitor, manage, and alleviate health conditions.

Immediate family member: Spouse or dependent children for tax purposes

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 relationships that may infer conflict of interest or commitment.

1. Key Society leaders 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. The SGIM Conflict of Interest Review Committee will review reports from responsible officials on a continuous basis (at a minimum annually) and make recommendations to Council regarding any concerning relationships disclosed. The Conflict Of Interest Review Committee will be made up of a 7 member panel of SGIM members with experience in deliberations regarding conflict of interest to include 3 SGIM Ethics Committee members and 3 SGIM members that have been appointed by the SGIM Presidents. Committee members will be appointed to serve a three year term with 2 new members rotating on each year. One new committee member will be appointed from the SGIM membership and the second new member will be selected from the Ethics Committee by the current SGIM President. The group will be chaired by the SGIM Nomination Committee chair during the annual term that follows that person's year as SGIM's President.
3. The SGIM Conflict of Interest Review 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 with recommendations to Council.
4. This policy shall be posted on the SGIM website in order to be available to SGIM members and the public.
5. Identified conflicts of interest will be made available on the SGIM website to SGIM members and the public. This information will be made available at the time of election and on the website thereafter if elected.
6. SGIM requires disclosures by all key Society leaders of any relationships over the past three years, to be updated annually.
7. The SGIM conflict of interest disclosure system shall include categories of required disclosures, time frames and dollar thresholds for reporting.
8. A current or former SGIM responsible official shall not use his or her SGIM affiliation or the SGIM name for personal or commercial gain. A former SGIM responsible official shall not use that prior SGIM affiliation or the SGIM name in any manner that may imply SGIM support or endorsement.

Administration: Key Society leaders, including potential nominees for elected office, will complete annual disclosures regarding potential conflict of interest. In addition, before each meeting of the SGIM Council, key Society leaders will be asked to identify any disclosures relevant to the meeting agenda.

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 that 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, and management employees 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 key Society leaders 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 an individual from service on behalf of the Society or involvement in a specific matter, although each individual is expected to consider carefully whether to abstain from or limit 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: Conflict of interest should be handled via an active conflict management strategy for all endeavors within SGIM for potential nominations and key society leaders within SGIM. Strategies should include disclosure, recusal (including both non-voting and absence during deliberation), and severance. Potential conflicts of interest situations will be adjudicated by the Conflict of Interest Review Committee

All key Society officials will be requested at the time of their appointment and annually to execute a disclosure. Returning key Society leaders will be offered the option of completing a 'No Change' form. The SGIM Conflict of Interest Review Committee will review conflict of interest disclosures of key Society leaders on a continual basis (minimally on an annual basis) and make recommendations to Council for their management (e.g., disclosure, recusal {including both non-voting and absence during deliberation}, and severance). Severance of relationships that are perceived conflicts should only be considered in the case of irresolvable conflict of interest for which no other alternative strategy for conflict of interest management exists.

In addition, nominees for elected office shall complete disclosures prior to the election, to allow for review by the SGIM Conflict of Interest Review Committee to identify any potential conflicts of interest. Conflict of interest recommendations should be made to individual candidates prior to their placement on the ballot, so that they may consider the implications of the proposed recommendations for conflict of interest management strategies. All disclosures by nominees shall be included in the ballot information distributed to members in an unbiased, uniform nomenclature.

The disclosure requests information including whether the responsible official or any immediate family member (spouse or dependent child): *(Company as defined on page 1 applies to items a-j)*

- 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, key Society leaders should disclose any potential non-financial **conflicts of commitments**. Specifically, each Society leaders 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 key Society leader 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 Conflict of Interest Review 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.

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.

Revised by COI workgroup and approved by Council January 10, 2014