

# **OPERATING PAPERS**

## **Conflict of Interest Committee**

SOUTHERN ILLINOIS UNIVERSITY  
SCHOOL OF MEDICINE

### **PREAMBLE**

The School of Medicine encourages its faculty and staff to participate in sponsored research, to consult widely, and to engage in other activities that may benefit not only the participants, but also the public. These outside interests and commitments, however, can, under certain circumstances, conflict with or compromise the School's mission of education, patient care, research and service to the community. It is the purpose of this committee, therefore, to ensure that when employees take part in external activities or have outside financial interests or business relationships, that the School of Medicine's mission of education, patient care, research and service to the community is not negatively affected.

## BYLAWS OF THE COMMITTEE

### ARTICLE I: Name and Purpose

Section 1. The committee shall be named the Conflict of Interest Committee and will be referred to hereinafter as "the Committee."

Section 2. The Committee is organized for the purpose of ensuring that the School of Medicine's mission of education, patient care, research and service to the community is not negatively affected by the financial interests, business relationships, or outside activities of its employees.

### ARTICLE II: Membership

Section 1. Voting members of the Conflict of Interest Committee are selected faculty and staff of the School of Medicine of which there will be a minimum of ten, in addition to the chair. Attendance by proxies is not permitted. Members of administration and other pertinent parties, as determined by the voting members of the Committee, may serve as non-voting *ex-officio* members of the Committee. In particular, at least the following shall be non-voting *ex-officio* members:

*Ex officio* members: Associate Dean for Research and Faculty Affairs, a representative from the Office of Legal Counsel, a representative from Human Resources, a representative from Continuing Medical Education, a representative of SCRIHS, and a representative from the Office of Regulatory Compliance.

Section 2. All members of the Conflict of Interest Committee shall be appointed by the Dean with consideration of the recommendations of the Faculty Council of the School of Medicine. Each year, the Committee shall forward a list of the positions (in addition to those stipulated by this operating paper to be represented by *ex-officio* members) to the Committee on Committees of the Faculty Council.

Section 3. The term of a voting member shall be three years with an optional one-year extension. Terms may be adjusted or staggered to maintain needed continuity on the Committee. Terms may also be adjusted to accommodate particular circumstances such as the promotion of a member to Chair or Vice-Chair.

Section 4. All members of Committee (including those who attend as *ex-officio* members) must sign a confidentiality agreement (attached) before attending their first meeting, and annually as long as they continue to serve on the Committee.

### ARTICLE III: Officers and Organization

Section 1. The Conflict of Interest Committee shall be directed by a Chair or, in the Chair's absence, the Vice-Chair. The Chair and Vice-Chair will serve for two-year terms, with a possible one-year extension.

Section 2. On expiration of the term of either the Chair or Vice-Chair, the Dean will appoint a replacement taking into consideration the recommendation of the Committee.

Section 3. The Committee may establish standing or *ad hoc* subcommittees for various purposes. The Chair and members of these groups shall be appointed by the Chair of the

Conflict of Interest Committee and may include individuals outside of the Conflict of Interest Committee.

#### ARTICLE IV: Meetings

Section 1. The Committee will routinely meet to conduct needed business. Meetings will be closed to non-members or proxy except by special invitation extended by the Chair. The Chair is empowered to convene special meetings if necessary. Subcommittees will meet as scheduled by the pertinent subcommittee Convener .

Voting members shall have the right to vote on all resolutions and motions of the Committee. The Chair shall only vote in the case of ties except as provided in Article VI, Section 1.

Section 2. Five (5) voting members, including the Chair and Vice-Chair, shall constitute a quorum authorized to transact any business duly presented at a meeting of the Committee. A majority of the subcommittee members shall constitute a subcommittee quorum.

Section 3. The agenda used by the Committee and its subcommittees will be developed by the appropriate Chair or subcommittee Convener. Members can submit items for the agenda to the appropriate Chair. Except in extraordinary circumstances, items for the agenda shall be submitted in advance of the meeting at which they are to be considered.

Section 4. All motions must receive a second from the floor to come to vote. A simple majority vote by the voting members present at a meeting shall carry a motion, except a motion to amend or alter this Operating Paper (see Article VI of this document). A voice vote will suffice for most issues, but any member may request a show of hands and formal recording of votes. Voting members shall have the right to vote on all resolutions and motions of the Committee except as described below.

Section 5. Neither attendance nor voting by proxy will be permitted.

Section 6. Individual members will recuse themselves from votes on measures for which they might be perceived as having a potential conflict of interest.

Section 7. Official minutes will be taken at all meetings of the Committee. They will be distributed to all members prior to or at the next regularly scheduled meeting of the Committee and approved or amended at that meeting.

Section 8. The deliberations of the Committee and all materials distributed as a part of the work of the committee (including the Committee minutes) are to be treated as confidential under the terms of the agreement signed by all members (Article. II, Sect. 4).

#### ARTICLE V: Functions and Duties

Section 1. The Committee will review employee's reports of outside financial interests, business relationships, and activities of employees and may need to review SCRIHS-related reports and reports filed with externally funded grants or contracts, for potential conflicts. Reports deemed to show no apparent conflicts will be approved administratively by the Chair and/or delegate. All other employee reports of potential conflicts must be reviewed by the full committee.

Conflict of interest issues not disclosed through this mechanism may be brought to the Committee at the Chair's discretion.

Section 2. When the Committee review identifies a conflict, the Committee will render a written decision of their conclusions and a decision on a management plan or other action regarding the activity to the individual, the individual's supervisor, and the Dean and Provost.

Section 3. The Committee will periodically review the School of Medicine's procedures and policies for dealing with conflict of interest and, where necessary, develop proposals for amending these procedures or developing new policies.

#### ARTICLE VI: Amendments or Alterations of the Operating Paper

Section 1. Recommendations for amendments or alterations to the Operating Papers shall be presented at either regular or special meetings of the Committee. Adoption requires a two-thirds plus one majority of the voting membership. The Chair and/or presiding Vice-Chair may vote on operating paper amendments.

# CONFIDENTIALITY STATEMENT

I understand and agree that, in connection with the performance of my duties as a member of the Conflict of Interest Committee of Southern Illinois University School of Medicine, I will be engaged in activities of a confidential nature, including but not limited to, participating in reviews and evaluations of conflicts of interest related to SCRIHS-related disclosure forms, disclosure forms related to external grants or contracts and SIU SOM annual employee disclosure forms. I further understand that, in this capacity, I will be expected to receive and/or become privy to information of a confidential nature, including but not limited to, records, documents and statistics which go to the issue of proprietary information and other information of a confidential nature. I further understand that I will be called upon to evaluate such information, in part, by the application of laws, regulations and policies. I understand that my position as a member of this Committee is one which demands the highest trust, and that policies and procedures, as well as, in some instances, specific statutes, regulations and governmental policies, protect the confidentiality of certain records and information which I will be review by prohibiting their disclosure in any manner. In addition to any duty of confidentiality or nondisclosure imposed on me by specific statutes, regulations and governmental policies, I agree to keep secret, and not disclose to others nor make any personal use of whatsoever, either during my service on said subcommittee or at any time thereafter, of any said confidential information, and to hold any such documents and/or information, regardless of nature in strictest confidence. I understand that any violation of this confidentiality statement will subject me to disciplinary action, up to and including removal from this Committee. I further understand that my duty to maintain the information in confidence imposed hereunder shall survive my resignation or termination from this Committee.

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Signature/Date

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Printed Name/Title

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Witness Signature/Date

Return to Kristi Katcher, MC 9616  
Updated 09/07/12