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SECTION: HUMAN RESOURCES

AREA: EMPLOYEE RELATIONS

SUBJECT: CONFLICT OF INTEREST FOR NON-ACADEMIC STAFF

PURPOSE

The purpose of this policy is to promote the UAMS mission (education, patient care, research, and outreach) by implementing procedures to assure disclosure and appropriate management of potential conflicts of interest among UAMS employees.

SCOPE

This policy applies to all UAMS employees who are Non-Academic Staff Members. Non-Academic staff members include all employees other than temporary and PRN employees; Academic Staff Members, who are governed by the Conflict of Interest Policy for Academic Staff Members ([UAMS Administrative Guide 4.4.10](#)); and UAMS Officials, who are governed by the UAMS Institutional Conflict of Interest Policy ([UAMS Administrative Guide 4.4.13](#)).

DEFINITIONS

Conflict of Interest (COI) shall mean an outside interest that could inappropriately influence or reasonably appear to inappropriately influence an employee's conduct at UAMS.

Financial Interest shall include any of the following interests of an employee or his/her Immediate Family Members that could reasonably appear to be related to the employee's UAMS duties.

- (a) Equity interests (such as stock, stock options, or other ownership interests) with the Healthcare Industry or other private organizations that are doing business with or seeking to do business with UAMS.
- (b) Outside employment or independent contractor relationships with the Healthcare Industry or other private organizations that are doing business with or seeking to do business with UAMS.
- (c) Payments or other remuneration (such as consulting fees, honoraria, travel reimbursement, gifts, contributions, etc.) from the Healthcare Industry or other private organizations that are doing business with or seeking to do business with UAMS.
- (d) Service as an executive, officer, board member, or other fiduciary position with the Healthcare Industry or other private organizations that are doing business with or seeking to do business with UAMS.

Financial Interest does **not** include:

- (a) Compensation or other remuneration paid by UAMS.
- (b) Income from intellectual property rights assigned to UAMS.
- (c) Income from seminars, lectures, or teaching engagements sponsored by government agencies, academic teaching hospitals, medical centers, or accredited public or non-profit institutions of higher education or their affiliated research institutes.
- (d) Income from service on advisory committees or review panels for government agencies or accredited public or non-profit institutions of higher education or their affiliated research institutes.

Immediate Family Members shall mean spouses, domestic partners, children, parents, grandparents, and siblings.

Healthcare Industry shall mean individuals and organizations involved in the development, manufacture, supply, or delivery of health products or services. Healthcare Industry includes, but is not limited to, pharmaceutical and medical device manufacturers, medical supply companies, patient transportation and ambulance services, hospitals, laboratories, medical imaging providers, physicians, or nursing service providers.

Non-Academic Staff Member shall mean all UAMS employees except for Academic Staff Members, UAMS Officials, and temporary and PRN employees.

Academic Staff Member shall mean all UAMS faculty members, all UAMS principal investigators and co-principal investigators, and any other individuals at UAMS who are responsible for the design, conduct, or reporting of research performed at UAMS.

UAMS Official shall mean the Chancellor, Vice Chancellors, Deans, Associate Deans, Assistant Deans, Department Chairs, Directors of Centers of Excellence and any other individual in a position to make or significantly influence decisions on behalf of UAMS involving oversight of research, execution of grants or contracts, or licensing of UAMS intellectual property to external parties. UAMS Official also includes the individual's Immediate Family Members.

POLICY

Disclosure of Actual and Potential Conflicts of Interest: All UAMS employees hold positions of trust and must conduct their UAMS activities in such a manner as to fulfill the mission of UAMS without consideration of personal financial gain.

Potential COIs arise when outside Financial Interests have the potential to inappropriately influence or appear to inappropriately influence an employee's UAMS duties or responsibilities. These situations do not necessarily imply wrongdoing. However, the perception that outside Financial Interests might inappropriately influence an employee's conduct at UAMS is sufficient to require that both potential and actual COIs be disclosed and appropriately managed. The goal of such disclosure and management is to protect UAMS and its employees from allegations of:

- Compromise of the UAMS mission due to financial considerations;
- Use of UAMS resources for personal gain; or
- Exploitation of students for personal gain.

All employees are responsible for completing a conflict of interest disclosure statement within the first two (2) weeks of employment and on an annual basis thereafter. The disclosure must also be updated within thirty (30) days of acquiring a new Financial Interest.

PROCEDURE

Conflict of Interest Committees:

The Hospital Conflict of Interest Committee (HCOIC) shall be a standing committee of UAMS, appointed by the Vice Chancellor for Clinical Programs (VCCP). In accordance with its Standard Operating Procedures, the HCOIC shall review potential COIs of Non-Academic Staff Members employed by the UAMS Medical Center and shall monitor compliance with any management plans implemented for such conflicts.

The UAMS Conflict of Interest Committee (UCOIC) shall be a standing committee of UAMS. Membership shall consist of individuals appointed by the Deans of the College of Medicine, College of Nursing, College of Pharmacy, College of Health Related Professions, College of Public Health, the Graduate School, and the Vice Chancellor of Finance. The Chairperson shall be appointed by the Vice Chancellor for Institutional Compliance. In accordance with its Standard Operating Procedures, the UCOIC shall review potential COIs of Non-Academic Staff Members employed by the UAMS Campus and shall monitor compliance with any management plans implemented for such conflicts.

Each committee shall meet on a regular basis in order to act in a timely fashion. Committee members shall disclose any personal potential COIs related to agenda items at the beginning of each committee meeting. When a COI is identified, the committee shall make a recommendation to the appropriate administrative official for appropriate management of the COI.

Employee Responsibilities:

Administrative and Business Decisions: UAMS employees shall recuse themselves from participation in any administrative or business decisions at UAMS that are related or may appear to be related to a Financial Interest of the employee or his/her Immediate Family Members.

Activities Related to Immediate Family Members: UAMS employees shall not participate in the hiring process or any employment-related decisions pertaining to their

Immediate Family Members. Likewise, UAMS employees shall not directly supervise any Immediate Family Member who is an employee of UAMS or participate in reviewing an Immediate Family Member's job performance.

ADMINISTRATIVE SANCTIONS

Failure to disclose COIs as required by this policy or comply with procedures to resolve COIs as recommended by the committee shall result in administrative sanctions, including, but not limited to: oral admonishment, written reprimand, reassignment, demotion, suspension, or termination.

Appeal of sanctions may be made to the Chancellor, in accordance with the UAMS Grievance Procedure. The decision of the Chancellor shall be final and not subject to further appeal.

REQUESTS FOR RECONSIDERATION:

If a Non-Academic Staff Member is dissatisfied with a committee decision regarding whether a conflict of interest exists or terms of a management plan, a written request for reconsideration may be submitted to the Director of Conflict of Interest within thirty (30) days of receipt of the committee's decision. The request for reconsideration should include any additional information the Non-Academic Staff Member would like the committee to consider. The reconsideration decision shall be final.

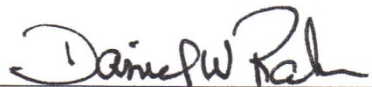
MISCELLANEOUS

Record Retention. Conflict of Interest disclosures and management plans for non-academic staff members will be maintained for a minimum of five (5) years.

Questions. Any questions about this policy may be directed to the Conflict of Interest Office at 501-686-6447.

REFERENCES

Arkansas Code Annotated § 19-11-701 et seq.

Signature: 

Date: October 5, 2011