



Current Status: *Active*

PolicyStat ID: 6782101



MICHIGAN MEDICINE
UNIVERSITY OF MICHIGAN

Origination:	09/2006
Last Approved:	08/2019
Last Revised:	08/2019
Next Review:	08/2022
Owner:	<i>Rebecca Hulea: Compliance Director</i>
Area:	<i>Compliance</i>
References:	<i>Policy</i>
Applicability:	<i>Michigan Medicine Administration U-M Medical School UMHS Clinical</i>

Michigan Medicine Outside Interests and Conflicts of Interest Policy, 01-04-003

I. POLICY STATEMENT, PURPOSE AND SCOPE

It is the policy of Michigan Medicine to address potential or actual conflicts of interest or conflicts of commitment promptly and fairly in order to ensure that they are reduced, managed, or eliminated as appropriate. All Michigan Medicine/UMMS employees, including UMMS faculty and Michigan Medicine leadership, staff, fellows, and house officers (collectively, "disclosing employees") are required to disclose outside interests, activities, and/or relationships related to their work or position at Michigan Medicine and to their University research.

A primary responsibility of all Michigan Medicine/UMMS employees is to support the missions of Michigan Medicine and the University. No agreement, contract, or outside interest may interfere with or compromise the University's missions of clinical care, education, and research. University Contracts or grants may not result in any personal tangible benefit or financial gain/interest to a Michigan Medicine/UMMS workforce member or their family members beyond the terms of the agreement between the University and the sponsor.

The purpose of this policy is to enable Michigan Medicine to identify, minimize, manage, or eliminate, as appropriate, employee conflicts of interest or conflicts of commitment.

Conflict of Interest/Conflict of Commitment protocols for non-health system workforce members are governed according to the conflict of interest policy set forth by the University of Michigan Board of Regents in Regent Bylaw 1.14.

II. DEFINITIONS

Adjunct Faculty - Instructional faculty members in any rank whose primary employment responsibilities lie outside the University or in another capacity within the University. Appointments as adjunct instructional faculty are part-time, on an annual or shorter basis, and are not tenured appointments ([Bylaw 5.22](#)). The term includes professional practitioners in the community who hold a "Courtesy Staff" designation for purposes of the Hospitals and Health Centers ("HHC") Bylaws.

Annual Disclosure - The requirement of all disclosing employees to update their disclosures at least once yearly, even if the disclosure is to indicate "no outside interests".

Clinical and Educational Conflict of Interest Committee ("CECOI") - The governing body that reviews and manages UMMS faculty conflicts of interest related to clinical education as delegated by the UMMS Dean and potentially other matters designated by Michigan Medicine.

Compliance Committee - The applicable compliance committee for HHC, Michigan Medicine, and the University of Michigan Medical School ("UMMS").

Compliance Officer - Either collectively all or singularly the applicable Compliance Officer for HHC, Michigan Medicine, and UMMS.

Conflict of Commitment ("COC") - When a disclosing employee's external relationships or activities have the possibility (either in actuality or in appearance) of interfering or competing with:

- The University's missions of clinical care, education, and/or research; or
- An individual's ability or willingness to perform the full range of responsibilities associated with his or her position.

Examples of potential COCs are provided in [Exhibit A](#), which may be amended from time to time.

Conflict of Interest ("COI") - Whenever personal, professional, commercial, or financial interests or activities outside of the University or Michigan Medicine have the possibility (either in actuality or in appearance) of:

- Compromising judgment in performing University obligations;
- Biasing the nature or direction of scholarly research;
- Unduly influencing decisions or behaviors with respect to teaching and student affairs, appointments and promotions, uses of University or Michigan Medicine resources, interactions with patients or human subjects, or other matters of interest to the University and Michigan Medicine; or
- Resulting in personal gain or advancement for the disclosing employee or for their family member(s) at the expense of the University or Michigan Medicine

Examples of potential COIs are provided in [Exhibit A](#) attached to this Policy, which may be amended from time to time.

Faculty - An individual with a primary, secondary, or dry (unfunded) appointment, including active emeritus at UMMS. It excludes visiting faculty and adjunct faculty.

Family Members - The disclosing employee's spouse, domestic partner, and dependents.

UMMS Research Fellow - A post-doctoral employee who is in a recognized training program and whose normal duties may be in a laboratory or other bench science setting, or may be those of a house officer.

House Officer - A physician or dentist who is in a recognized training program and whose normal duties, under the direction of an attending, courtesy, or honorary staff member, are to admit patients to the hospital, diagnose or treat patients, and assume all other functions and responsibilities of the house officer staff.

Institutional Responsibilities - An individual's professional responsibilities on behalf of the University, such as research, teaching, professional practice, and service on institutional committees.

Management Staff - Those Michigan Medicine staff whose job titles are in the managerial or executive job roles in the University Human Resources Classification System.

Medical School Conflict of Interest Board ("MEDCOI") - The governing body that reviews and manages conflicts of interest related to research or technology transfer as delegated by the University of Michigan Office of Research ("UMOR") and other matters designated by Michigan Medicine.

M-Inform - The University's web-based disclosure system for Outside Interests.

Outside Interest - An external activity, relationship, or interest (paid or unpaid) of the disclosing employee or of their family member that is related to the disclosing employee's work or position at Michigan Medicine. An interest is related when the activity, relationship, or interest is associated with or relies upon the disclosing employee's scientific, medical, or other expertise required to fulfill his or her Michigan Medicine responsibilities.

Procedures - The conflict of interest and conflict of commitment procedures attached as [Exhibit B](#) to this policy, which may be amended from time to time.

Related - When an outside interest, activity, or relationship relies upon the same expertise that an individual's ability to carry out his or her institutional responsibilities relies upon. Also, any interest, activity, or relationship that has the potential to influence the duties that the University considers part of the work it pays or otherwise engages an individual to do.

Staff - All Michigan Medicine staff excluding management staff.

Michigan Medicine - Michigan Medicine, including the University of Michigan Hospitals and Health Centers (UMHHC), the University of Michigan Medical School (UMMS), and the Michigan Health Corporation (MHC).

Visiting Faculty - Those appointments with UMMS for professorships for individuals with employment responsibilities with another institution of higher education consistent with the UMMS Faculty Handbook. "Visiting Faculty" also includes faculty that hold a "Visiting Staff" designation for purpose of the HHC Bylaws.

III. POLICY STANDARDS

A. Outside Interest Disclosure Requirements

Who Discloses	When to Disclose
Michigan Medicine Leadership (managers and executives)	Annually and within 30 days of any change
Fellows, House Officers	Annually and within 30 days of any change
Physician Assistants	Annually and within 30 days of any change
Advanced Practice Registered Nurses <ul style="list-style-type: none">◦ Certified Nurse Midwives (CNM)◦ Nurse Practitioners (NP)◦ Certified Registered Nurse Anesthetists	Annually and within 30 days of any change

(CRNA)	
UMMS Faculty	Annually and within 30 days of any change
Michigan Medicine Staff	When engaged in a job-related outside interest, activity or relationship and annually thereafter until the interest, activity, or relationship has ended and it is documented as ended in M-Inform.
Individuals Engaged in Research	Individuals with effort on federally-funded research projects (or other entities following PHS rules) must disclose annually and within 30 days of any change
All job-related outside interests, activities, and relationships must be disclosed in M-Inform, the University's online disclosure system.	

Disclosure Guidance

1. Michigan Medicine Leadership, Fellows, House Officers, UMMS Faculty

Michigan Medicine Leadership, Fellows, House Officers, and UMMS Faculty must prospectively and promptly disclose any job-related outside interests of themselves or their family member(s) in M-Inform, as well as disclose potential or actual conflicts of interest or conflicts of commitment directly to their chair, supervisor, or principal investigator, as appropriate. Outside Interest disclosures must be made at least annually and must be updated within 30 days when circumstances change or when a new outside interest arises. UMMS employees must also disclose travel within 30 days of its occurrence. M-Inform disclosures will be reviewed by Department Chairs or Supervisors or their designees for any potential conflict of interest or conflict of commitment, and assessed both for the appropriateness of the activity as well as level of compensation to ensure it is commensurate with their effort and UMMS policies. Disclosures are subject to review by an institutional official (Compliance Office, Office of Regulatory Affairs, MECOI Board, or CECOI, as appropriate), and when a conflict is found to exist, it will be reduced, managed, or eliminated as appropriate and as provided in the procedures at [Exhibit B, Faculty House Officers or Management Staff](#).

2. Staff

Staff must promptly disclose job-related outside interests, activities, or other relationships pertaining to themselves or their family member(s) in M-Inform and to their supervisor (or designee). M-Inform disclosures will be reviewed by the staff member's supervisor (or designee) for any potential conflicts of interest or conflicts of commitment and reviewed for the appropriateness of the activity, as well as conduct a review of the level of compensation to ensure it is reasonably commensurate with the effort. The supervisor (or designee) determines if the staff member's conflict is manageable, i.e., if the conflict can be reduced or eliminated as provided in the procedures at [Exhibit B, Staff](#). If not manageable, the activity, interest, or relationship may not be approved. Disclosures are subject to review by an institutional official, as appropriate.

3. Individuals Engaged in Research

Anyone with a research-related outside interest must inform their supervisor and disclose in M-Inform. Individuals who are required to accept their role on the eResearch Regulatory Management Application (IRB Application) must also indicate their related interests in that application. The Principal Investigator on an IRB application or proposal application form (PAF) is responsible for

assuring that conflicts of interests for all members involved in the research are disclosed regardless of whether or not they are listed on the IRB Application or the PAF.

4. Visiting Faculty

Visiting Faculty must promptly disclose related outside interests or conflicts of commitments pertaining to themselves or their family member(s) to the sponsoring Michigan Medicine Department Chair or supervisor. Any identified conflicts will then be reported by the visiting faculty member in M- Inform and assessed and reduced, managed, or eliminated as appropriate.

B. Additional Policy Information

1. Accepting Paid and Unpaid Work Outside the Health System

- a. Workforce members must exercise good judgment in accepting paid or unpaid work with industry or other hospital vendors and suppliers (present and future) to avoid actual (or perceived) conflicts of interest and conflicts of commitment.
- b. Personal consulting arrangements may be entered into by workforce members, with manager approval, provided that they do not negatively impact the institution's interests and do not conflict with the workforce member's ability to carry out his or her job duties or other institutional responsibilities.
 - i. University space, resources, data (patient, research, or business information), etc., may not be used as part of any personal consulting arrangement without appropriate institutional approvals and without appropriate contractual agreement(s), signed by the Regents.
- c. All arrangements must reflect industry-standard fair market value.

2. Speaking Engagements

- a. While workforce members may accept industry fair-market-value support (travel and honorarium), with manager approval, to give presentations at national conferences or other departmentally approved venues, any such presentations must be based on the workforce member's own work product (professional experiences, research, or other scholarship).
- b. Workforce members are to maintain editorial and content independence at all times to preserve academic freedom, e.g., develop their own content, and retain full editorial control over their content.
- c. Workforce members may not represent the interests of industry or other hospital vendors/suppliers, e.g., present, speak, or educate on behalf of industry or participate in events where the purpose (predominate or implied) is to market/sell industry products and services or where the event is to illustrate the merits of any one product or service over another.
- d. In any case, there should be presenter/audience freedom and opportunity for critical discussion contemporaneous with any presentation or other speaking engagement.

3. Personal Gifts or Loans from Outside Organizations

Personal gifts of any kind from vendors to faculty, fellows, House Officers, Management, or other staff or their family members are not permitted. For purposes of this policy, personal gifts include soliciting or accepting money, travel, credits, preferential discounts, gifts, raffles, lotteries, gratuities, entertainment, favors, or services. Michigan Medicine faculty, fellows, house officers, management, or other staff who accept loans for themselves or their family members from outside companies or organizations with which they interact on behalf of Michigan Medicine must promptly disclose this

fact to their department chair or supervisor as discussed in Section III(A) above. Depending upon the circumstances, review and approval by the COI Board may be needed with respect to personal gifts or loans.

4. **Vendor-Sponsored Site Visits and Training**

It is not permitted for University employees to accept travel expenses from a vendor for site visits or training, unless the site visit or training is included in a negotiated contract through Procurement (see [SPG 507.01 Procurement General Policies and Procedures](#)).

5. **Vendor Product Demonstrations**

Vendors may be invited to demonstrate products at UMHHC. Vendors as well as faculty and staff must comply with [UMHS Vendor Visitation and Interaction Policy, 01-04-008](#).

6. **Records and Sensitivity of Disclosures and Additional Information Provided**

Outside Interests, Conflicts of Interest, and Conflicts of Commitment, and any additional information shall be treated as "Sensitive Data" under [SPG 601.12 Institutional Data Resource Management Policy](#), and access to this information shall be permitted only with specific authorization and only to those University or Michigan Medicine departments or units that need this information to perform their University or Michigan Medicine obligations or to make decisions on behalf of the University or Michigan Medicine. These records will be maintained by the department chair, supervisor, COI Board, and/or the Outside Interest Disclosure Database as applicable. This information will be protected to the extent permitted by law. This information is subject to the Freedom of Information Act (FOIA).

7. **Sponsored Research & Technology Transfer**

The Medical School Conflict of Interest (MEDCOI) Committee will review and approve management for situations in which faculty, fellows, house officers, management, or other staff and their family members have an outside interest in or related to sponsored research or technology transfer as delegated by the University of Michigan Office of Research and other matters designated by Michigan Medicine. These matters will be reviewed in accordance with MEDCOI Operational Guidelines.

8. **Management of Other Situations**

If an outside interest, conflict of interest, or conflict of commitment is not related to sponsored research, technology transfer, or other matters designated for review and management by the MEDCOI, the review, approval, and management related to the outside interest will be handled by the appropriate department chair or supervisor as provided in the Procedures.

- **Interactions with Other University or Michigan Medicine Units**

In some instances, the Michigan Medicine Compliance Office, department chairs, supervisors, MEDCOI, CECOI, and others involved in the evaluation of outside interests will need to consult with other University or Michigan Medicine units or the Michigan Medicine Compliance Office. These instances include but are not limited to:

- The Office of the Provost when there are conflicting policies between academic units.

- The Office of the General Counsel and/or Michigan Medicine Contracting Office where legal obligations or potential liability to the University or Michigan Medicine may be involved.
- University Procurement when the COI involves purchasing.

- **Abiding by Conflict Management**

If appropriate, the Michigan Medicine Compliance Office, department chair, supervisor, and/or MEDCOI or CECOI will develop and document a plan to manage, reduce, or eliminate any conflicts as provided in the Procedures. Faculty, Fellows, House Officers, Management, or other Staff are required to fully abide by any conflict management plan if a conflict is determined to exist. Any change in the circumstances of the conflict that could affect the current conflict management plan must be promptly disclosed to the individual's department chair, supervisor, and/or MEDCOI or CECOI as applicable. It is the responsibility of the human resources department, department chair, supervisor, and/or MEDCOI or CECOI to monitor an individual's compliance with the conflict management plan and report any non-compliance to the applicable Compliance Officer and/or to the MEDCOI or CECOI as applicable.

- **Education**

Education related to this Policy will be included in the Michigan Medicine COI mandatory (accessible through MLearning), which is required training for all Faculty, Fellows, House Officers, Management, and Staff employed by or working in HHC locations. Research-related conflict of interest education is included in M-Inform and in the [University's Program for Education and Evaluation in Responsible Research and Scholarship \(PEERRS\)](#).

- **General Responsibilities**

Faculty, Fellows, House Officers, Management, and Staff are responsible for knowing and abiding by this Policy and other applicable University and Michigan Medicine policies and procedures. They also must promptly provide additional information related to an Outside Interest, Conflict of Interest, or Conflict of Commitment as requested.

- **Reporting**

Any suspected violations or concerns related to this Policy should be reported to the Compliance Office at COI-support@umich.edu or [COI Concerns or Questions](#). The Compliance Office or its designee will work with the reporter in order to investigate and resolve any suspected violations or concerns related to this Policy.

- **Michigan Medicine Committees and Committee Recommendations**

[Certain committees designated by Michigan Medicine](#) will be responsible for identifying and managing as appropriate any potential or actual Conflicts of Interest of its members, consultants, and staff, etc. To the extent implemented, any conflict management must be appropriately documented and monitored by the Committee.

IV. PROCEDURE ACTIONS

Specific disclosure processes are set forth in [Exhibit B, Procedures](#), based on an individual's role.

Upon disclosure of an Outside Interest, Conflict of Interest, or Conflict of Commitment, the department chair or supervisor may approve or disapprove the activity or interest and reduce, manage, or eliminate any conflicts as appropriate. If the disclosure is disapproved, the Michigan Medicine Faculty, Fellows, House Officer, or Staff is not permitted to engage in the activity or interest unless the matter is appealed, as provided in the Procedures.

V. EXHIBITS

[Exhibit A: Examples of Conflict of Interest and Conflict of Commitment](#)

[Exhibit B: Conflict of Interest and Conflict of Commitment Procedures - Revised June 24, 2016](#)

VI. REFERENCES AND RESOURCES

[Regents' Bylaw 1.13](#) *Business Transactions*

[Regents' Bylaw 1.14](#) *Regental and Executive/Senior Officer Conflict of Interest Policy*

[Regents' Bylaw 2.16](#) *Gifts to Regents and University Employees*

[Regents' Bylaw 3.10](#) *Ownership of Patents, Copyrights, Computer Software, Property Rights, and Other*

[Regents' Bylaw 5.12](#) *Outside Employment*

[Regents' Bylaw 5.13](#) *Governmental Activities*

[SPG 201.23](#) *Appointment of Relatives or Others with Close Personal or External Business Relationships*

[SPG 201.65-0](#) *Work Outside the University*

[SPG 201.65-1](#) *Conflict of Interest*

[SPG 201.85](#) *Non-Appointment Related University Compensation*

[SPG 303.01](#) *Implementation of Regents' Policy Concerning Research Grants, Contracts, and Agreements*

[SPG 303.03](#) *Policy Statement on the Integrity of Scholarship*

[SPG 303.04](#) *University of Michigan Technology Transfer Policy*

[SPG 500.01](#) *Fiscal Responsibilities*

[SPG 507.1](#) *Procurement General Policies and Procedures*

[SPG 601.28](#) *Who Holds Copyright at or in Affiliation with the University of Michigan*

[SPG 601.32](#) *External Entity Contracts for Central Administration Services or Resources*

[SPG 602.02](#) *Gift Acceptance*

[UMHS Vendor Visitation and Interaction Policy, 01-04-008](#)

[Medical Staff Bylaws](#)

[UMMS Faculty Handbook](#)

[Medical School External Clinical Activity Policy](#)

[U-M OVPR Policy for Institutional Conflicts of Interest in Research](#)

[U-M OVPR Policy on Identification and Management of Conflicts of Interest in Research and Technology Transfer](#)

[Guidance: Outside Interests and Conflicts of Interest](#)

Author: Michigan Medicine Compliance Office

Approved by:

UMHS Compliance Officer - September 2006; October 2008; February 2009; June 2014; July 2015

2015 revisions approved by:

UMHS Compliance Officer - July 2015

Acting Chief Executive Officer and Chief Operating Officer, UMHHC - August 12, 2015

Dean, UMMS - August 26, 2015

EVPMA, UMHS - September 8, 2015

Reviewed and substantive revisions, including revisions to Exhibit B, made by UMHS Compliance Office - June 2016

June 2016 revisions approved by:

UMHS Compliance Committee - June 23, 2016

Executive Vice Dean of Clinical Affairs and President, University of Michigan Health System - July 7, 2016

EVPMA, UMHS - July 11, 2016

Technical revision outside of full review (reinsertion of previously and inadvertently deleted definition of "Conflict of Interest") made by UMHS Compliance Office - September 15, 2016

Attachments:

[01-04-003 Exh A Mar2009.pdf](#)

[01-04-003 Exhibit B June 2016.pdf](#)

[01-04-003 Exhibit B June 2016.pdf](#)

A: Examples of Conflict of Interest and Conflict of Commitment

B: Conflict of Interest and Conflict of Commitment Procedures

Approval Signatures

Approver

Date

Rebecca Hulea: Compliance Director 08/2019

Applicability

Michigan Medicine Administration, U-M Medical School, UMHS Clinical