

Conflicts of interest:  
Ad-hoc topic workgroup  
proposal

November 2, 2023

# Conflicts of Interest (COI) processes

- COI processes are designed to assure that decisions based on evidence and made by groups working for government, academic institutions or other public-facing organizations that may impact the public are free from the influence of especially special interests (funding), politics and advocacy, or that at the very least, the possibility of influence is transparent
- COI processes have become more complex over the past decade, and are meant to assure that decision-makers in these settings based their votes on evidence, free from other influences
- After review of methods from different groups, we decided to model our process after CDC's Community Preventive Services Task Force

# Proposed process

- Prior to the meeting, all voting members review the topics to be voted on and complete a disclosure form that covers:
  - Financial COI
  - Potential business and professional COI
  - Potential intellectual COI
- HRSA staff and the ACHDNC chair review COI statements and decide on whether the member should have restricted participation
- If a restriction is being considered, the chair and staff will schedule a call with the member to discuss the potential conflict
- NOTE that disclosure and actions (decision on restrictions) are SEPARATE: a disclosure may not lead to any restriction

# Possible restriction decisions

- A. No restrictions and no public disclosure
- B. No restrictions, but with public disclosure of issue (done by the chair in opening comments)
- C. Participation in discussion but restriction from voting (announced by the chair in opening comments)
- D. Recusal and restriction from all parts of the topic presentation and discussion, includes leaving the room or remote meeting (announced by the chair in opening comments)

# Financial interests

- Financial conflicts of interest refer to investments or interests in entities that could influence, or give the appearance of influencing, the outcome of a decision
- Entities could be individuals, organizations and corporations, or other groups with established or future business in the matter of a decision
- **A relevant financial interest** (see list on next slide) is a situation in which a committee member has the potential for direct or indirect financial gain or loss related to a recommendation vote
- Members should disclose financial relationships for themselves, their spouse (or close personal relation), and dependent children
- The cutoff is at \$1,000 or greater for the previous 12-month period

# Financial interests

- Ownership of individual stocks other significant proprietary interests or investments in any third party that could be affected by a decision on a specific topic
- Having an employment, independent contractor, or consulting relationship or other contractual arrangements, whether written or unwritten, with an entity that could be financially or reputationally affected by a decision
- Receiving patents, royalties or licensing fees from a proprietary/private business entity
- Receiving a research grant awarded to you as an individual as a primary investigator, co-investigator, consultant or subcontractor from a proprietary/private business entity or corporate foundation (not Federal or non-profit research grants awarded to an institution)

# Financial interests (cont.)

- Receiving compensation for participation on the governing board or advisory council of a proprietary/private business entity or any other entity including non-profits
- Participating in a speaker's bureau for a proprietary/private business entity
- Receiving honoraria, travel, or gifts from a proprietary/private business entity
- Receiving payment as an expert witness for a plaintiff or a defendant associated with such a proprietary/private business entity
- Receiving compensation for services by parties having a financial interest in the outcome of a decision

# Potential Business and Professional interests

- Business or professional conflicts of interest refer to business or professional relationships or activities not otherwise disclosed as financial that could influence, or give the appearance of influencing, an ACHDNC decision
- **A relevant business or professional interest** (see list on next slide) is a situation in which an ACHDNC member has the potential for business or professional gain or loss related to an ACHDNC decision, e.g., the outcome of an ACHDNC decision may positively or negatively affect an organization's ability to receive funding
- ACHDNC members should disclose their own business or professional relationships, those of their spouse (or close personal relation), and of dependent children

# Potential Business and Professional interests include:

- Public comments and testimony (includes serving as an expert witness) made on behalf of a business or professional organization
- Leadership roles (e.g., in a panel, association, society, journal or certification body)
- Advocacy or policy positions on behalf of an entity
- Disclose relationships with governmental organizations, non-governmental organizations (including non-profits), private organizations, professional societies, or other organizations that you have reason to believe may benefit or be harmed by findings and including serving as a:
  - Board member or Trustee
  - Director
  - Expert Advisor
  - Leadership position in a professional society, including subsection or committee
  - Officer
  - Owner
  - Principal Investigator, Co-Investigator, or Subcontractor on a grant

# Potential Intellectual Interests

- It is recognized that ***potential*** intellectual interests are likely to be numerous because members are chosen for their national reputations on relevant issues and their work may be sufficiently well-known such that different audiences might question the objectivity of the process if such members are known to have taken leadership roles in discussion and even votes on recommendations regarding that topic
- A member may hold strong personal views on the effectiveness of particular interventions and may be unwilling to accept evidence to the contrary; the same holds true for strong moral convictions that could influence a member's scientific opinions.
- Potential intellectual conflicts of interest may be indicated by the following:
  - Membership in a lobbying or advocacy organization
  - Serving as an expert witness
  - Public comments, or other indication of strongly held beliefs
  - Intellectual property rights including books, journals, manuscripts, patents, and copyrights

# Organizational representatives

- Should not be held to the same standards as voting members—they are appointed to represent interests including advocacy

However:

- While Organizational Representatives should not have COI-related restrictions, they have special status and access to participation in Committee discussions (as meeting time allows, and at the discretion of the chair)

Proposal:

- Organizational Representatives should annually disclose whether they receive funding from a proprietary/private business entity and include in that disclosure how much and what percentage of their operating budget (if relevant) such funding represents; this information will be made available to the Committee members