

I. POLICY

EVMS recognizes that faculty and other individuals may have financial or personal Interests and relationships with outside organizations (companies, agencies, professional and private organizations, etc.). Although such relationships can be beneficial to the mission of EVMS and contribute to academic advancement and diversity, certain Interests may create a conflict of interest or a conflict of commitment or the "appearance" of such. It is the policy of EVMS that such outside Interests be disclosed and managed by EVMS in accordance with this policy.

II. GENERAL PRINCIPLES

Conflict of Commitment

EVMS encourages scholarly activities such as lectures, speaker's bureaus, consultation, board and advisory council participation, outside of EVMS. However, EVMS faculty members owe their primary professional allegiance to EVMS, and such activities should not detract from the faculty member's ability to fulfill his/her Institutional Responsibilities.

The specific responsibilities and professional activities that constitute an appropriate and primary commitment to Institutional Responsibilities will differ across departments in accordance with the understanding or direction of the faculty member's Chair. Faculty member's outside activities (such as consulting, public service or pro bono work) can result in conflicts regarding allocation of time and commitment and therefore all such outside commitment activities will be reviewed annually by the faculty member's department chair. Whenever an individual's outside consulting activities (as defined in EVMS' policy on outside consulting) exceed the permitted limits or whenever a full-time faculty member's primary professional loyalty is not to EVMS, a conflict of commitment exists.

Conflict of Interest

A conflict of interest occurs when an individual's private Interests are at odds with his or her Institutional Responsibilities such that an independent observer might reasonably question whether the individual's professional actions or decisions are determined by considerations of personal gain, financial or otherwise. A conflict of interest depends on the situation, and not on the character or actions of the individual.

Conflicts of interest are common at medical schools. While faculty merit reward for their outside activities such as consulting or commercialization efforts, it is not appropriate for an individual's

actions or decisions made in the course of his or her EVMS activities to be determined by considerations of personal financial gain. Such behavior calls into question the professional objectivity and ethics of the individual and it also reflects negatively on EVMS.

Faculty members should conduct their affairs so as to avoid or minimize conflicts of interest, and must respond appropriately when conflicts of interest arise.

III. APPLICABILITY

This policy covers any faculty member (whether such faculty member is fully-salaried, partially-salaried, or non-salaried) or, staff, student, resident, Investigator, fellow, trainee, or administrator who performs activities for and/or under the guidance of EVMS (or pursuant to the review and approval of an EVMS regulatory committee such as the EVMS Institutional Review Board(s), Institutional Animal Care and Use Committee, and/or the EVMS Biosafety Committee) or conducts EVMS related activities including education, research, and/or clinical trial activities through EVMS or EVMS Academic Physicians and Surgeons Health Services Foundation (EVMS Medical Group), including but not limited to:

- the conduct of Research, in accordance with the Office of Research, Policy on Conflicts of Interest in Research;
- the transfer of intellectual property;
- the provision of education; and
- participation in clinical trial activities through EVMS and/or EVMS Medical Group.

For conflict of interest policies related to procurement, individuals must consult the EVMS Materials Management Conflict of Interest Policy as set forth in Section 2.10.3 of the Financial Affairs Policies and Procedures.

IV. DISCLOSURE OF INTERESTS

A. Annually. EVMS employed faculty shall, within thirty (30) days of hire and annually thereafter, upon request of EVMS, disclose all Interests, including those of Covered Family Members, using the current Disclosure Form.

B. Upon Request. Individuals conducting activities for and/or under the guidance of EVMS,

including staff, students, residents, fellows, trainees or administrators shall, upon request by EVMS and prior to the commencement of any activities, disclose all Interests, including those of Covered Family Members, using the Disclosure Form upon request by EVMS and prior to the commencement of any activities.

C. With Research. Individuals deemed Investigators and grant subrecipients who do not otherwise maintain a compliant financial conflict of interest policy, must disclose and update Interests on the Disclosure Form in accordance with the requirements set forth in the EVMS Policy on Conflicts of Interest in Research and Sponsored Projects.

D. Upon a Change. All individuals who have previously submitted a Disclosure Form must update their Disclosure Form upon the discovery or acquisition of a new financial interest not previously disclosed, within thirty (30) days of the discovery or acquisition.

V. REVIEW AND MANAGEMENT OF INTERESTS

A. Review and Management by Chair/Department Head

1. Disclosure Forms and/or any updates thereto, shall be completed, signed and submitted by the individual to his or her Chair (or Department Head, if applicable). If the individual at issue is a Chair, Department Head, or the Designated Institutional Official (DIO), then his/her disclosure shall be made to the Provost and Dean of EVMS. If the individual at issue is the Provost and Dean or President of EVMS, then his/her disclosure shall be made to the Rector of the Board of Visitors of EVMS.

2. The Chair/Department Head shall evaluate the disclosure documents and determine whether any conflict of commitment exists. A Conflict of Commitment exists if either a Private Consultation Activity or any other outside activity, commitment, or affiliation of the individual shifts or appears to shift the individual's primary professional loyalty away from EVMS or otherwise interferes with the individual's Institutional Responsibilities. The Chair shall review consulting and other time commitments to ensure that they (a) enhance the individual's professional development; (b) do not interfere with teaching, research and service to the institution; and (c) are consistent with the objectives of the institution. If the Chair determines that a Conflict of Commitment exists, the Chair shall direct the individual to modify his/her commitments to alleviate the Conflict of Commitment.

3. Once reviewed by the Chair/Department Head for Conflicts of Commitment the Disclosure Form for any individual that conducts research shall be signed and submitted to the

DIO in the Office of Research.

B. Review and Management by DIO. The Disclosure Forms shall be reviewed by the DIO to determine whether any Financial Conflict of Interest (FCOI) related to research exists. Such review and any subsequent management of an FCOI shall be governed by the Office of Research, Policy on Conflicts of Interest in Research and Sponsored Projects.

VI. NONCOMPLIANCE

Any noncompliance or violation of this policy shall be considered a violation of institutional policy and subject to disciplinary action, up to and including suspension and dismissal and/or retrospective review of research as provided in the Policy on Conflicts of Interest in Research and Sponsored Projects. Additionally, employees in violation of this policy who have received financial benefit shall be liable for repayment of any and all financial benefits that resulted from such violation.

VI. DEFINITIONS

Covered Family Member: Your spouse, domestic partner, dependent children or other member of your household.

Disclosure Form: The Disclosure of External Financial and Time Commitments Form, in paper or electronic format, as may be modified from time to time by EVMS.

Financial Interest: Anything of monetary value. Financial Interests include, but are not limited to:

1. Income including salary, consulting payments, honoraria, reimbursement of expenses, royalty payments, dividends, loans from an entity, or any other payments or consideration with value.
2. Equity in the form of stock, stock options, business or commercial real estate, business or commercial loans to or from an entity, or any other investment or ownership interest.
3. Management or executive position whether paid or unpaid, such as a board member, director, officer, partner, advisor, or trustee.
4. Ownership or other interest in an entity that is proposed as a subcontractor, consortium

member, lessor or otherwise involved in the project.

5. Intellectual property interest on a patent, patent application or copyright assigned or licensed to a party other than EVMS.

Institutional Responsibilities: An individual's time responsibilities to EVMS including teaching, research, patient care, service on any EVMS boards, committees or panels or obligations created by contractual relationship.

Interests:

1. any Private Consultation Activities,
2. any other outside activities, commitments, or affiliations which shift or may appear to shift one's primary professional loyalty away from EVMS as determined by a faculty member's Chair, or
3. any Financial Interest of the individual or his/her Covered Family Member in a Related Entity.

Investigator: Key Personnel and any other individuals, regardless of title or position, who have been deemed by a Principal Investigator to have authority over the design, conduct, or reporting of research, which may include research assistants, post-docs, fellows, students, collaborators, or consultants.

Key Personnel: The Principal Investigator, Project Director and any other person identified as senior/key personnel in the grant application, progress, or other report. **Key Personnel are always considered Investigators as defined above.**

Private Consultation Activities: Consultation services related to your field or discipline provided to businesses, individuals, other institutions, government agencies, etc., on an hourly, per diem, contractual, or other fee basis, including receipt of shares of stock, stock options or a partnership stake. It includes paid positions on Boards of Directors or Advisory Boards, but does not include the presentation of lectures, seminars, research reviews, etc., to groups at other institutions or the participation on research review panels, study sections, regulatory boards, etc., for governments or non-profit foundations (e.g., the American Cancer Society), regardless if honoraria is received for these activities.



**INSTITUTIONAL COMPLIANCE
POLICY ON DISCLOSURE
OF INTERESTS**

Related Entity: A business or other entity that does any of the following:

1. sponsors human subject research,
2. sponsors animal research,
3. sponsors basic science or other research,
4. develops products or has research interest which are related to your field of expertise,
5. made gifts to EVMS that benefited your research or teaching, or
6. sells goods or services to EVMS that are used in your research or teaching.