Entities: (check all that apply) ☒Cottage Health ☒SBCH ☒GVCH ☒SYVCH ☒PDL ☒GPC ☒CSC			
Policy Title:	Conflicts of Interest in Research		
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Owner Title:	VP, Research & CRO	**Owner Approval Date:**	09/2018
Committee Approval:		**Committee Approval Dates:**	
VP Approval:	Richard A. Beswick, PhD	**VP Approval Date:**	09/2018
Departments Affected:	Cottage Health Research Institute, Institutional Review Board		

GOALS

The purpose of this policy is to promote the highest ethical standards in situations where conflicts of interest may occur in the conduct of research.

To establish conflict of interest rules in order to regulate the disclosure and avoidance of conflicts of interest in research, to establish a uniform mechanism for determining when a potential or actual conflict of interest exists, establish management responsibilities for potential or actual conflicts of interests and to communicate to individuals and institutions involved in research the standards for conflict of interest in research.

POLICY

The regulations protecting human research subjects are based on the ethical principles described in the Belmont Report: respect for persons, beneficence and justice. It is important to ensure that conflicts of interest do not compromise any of these principles.

Cottage Health encourages associated physicians and staff to participate in meaningful professional relationships with industry and other external private partners. These relationships are established for mutually beneficial purposes, and may produce knowledge and technology to benefit the community.

In certain circumstances, relationships with industry and other external private partners can create or appear to create conflicts of interest, in opposition of the ethical principles of the Belmont Report. While having a conflict of interest does not strictly imply that the conflict is unethical or impermissible, conflicts do require review and management to ensure that the conflict does not improperly influence, impair performance, or appear to improperly influence, how Cottage Health research is proposed, conducted or reported.

At a minimum, Cottage Health Research Institute (CHRI) requires, through formal disclosure, transparency in the relationships investigators and research study staff has with industry and other external private partners. This policy explains the process for identifying and disclosing conflicts and the methods by which they are managed by CHRI and Cottage Health.

DEFINITIONS

Applicant: the party who submits a marketing application to FDA for approval of a drug, device, or biologic product. The applicant is responsible for submitting the appropriate certification and disclosure statements required in this part.

CH IRB: Cottage Health Institutional Review Board

CHRI: Cottage Health Research Institute

CH COIR: Cottage Health Conflict of Interest in Research Committee. CH COIR represents the interests of Cottage Health and is comprised of members of research staff, corporate compliance, and corporate administration. CH COIR is charged with reviewing Physician Payment Sunshine Act disclosures and conflict of interest disclosures that have been determined to disclose significant conflicts of interest and formulating recommendations to manage, reduce, or eliminate conflicts of interest. The committee will be chaired by the CH Chief Compliance officer.

Clinical Research: Any investigation in human subjects intended to discover or verify the clinical, pharmacological and/or other pharmacodynamic effects of an investigational product/s, and/or to identify any adverse reactions to an investigational product/s, and/or to study absorption, distribution, metabolism, and excretion of an investigational product/s with the object of ascertaining its safety and/or efficacy. A specific clinical research project is referred to as a study.

Conflict of Interest: a situation in which financial or other personal considerations compromise, or have the appearance of compromising, an individual's professional judgment in proposing, conducting, supervising or reporting research. Conflicts of interest include the following types of interests maintained by an investigator, research personnel or his or her close relations. These must be disclosed under this policy:

> **Significant equity interest:** any ownership interest, stock options, or other financial interest whose value cannot be readily determined through reference to public prices (generally, interests in a non-publicly traded corporation), or any equity interest in a publicly traded corporation that exceeds $50,000 during the time the clinical investigator is carrying out the study and for 1 year following completion of the study.
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> **Proprietary interest:** property or other financial interest in the product including, but not limited to, a patent, trademark, copyright or licensing agreement.

CRC: The primary Clinical Research Coordinator acts as the point of contact for all study related matters, both from the Sponsor and from clinicians. The CRC will be familiar with the study requirements, relevant regulations and study documentation including the study protocol, CRFs and any other relevant study specific documentation.

Immediate Family Member: Spouse, Domestic Partner, Natural or adoptive parent, child, or sibling, Stepparent, stepchild, stepbrother, or stepsister, Father-, mother-, daughter-, son-, brother-, or sister-in-law, Grandparent or grandchild, Spouse of a grandparent or grandchild.

Investigator: the principal investigator or sub-investigator; an individual who is directly involved in the treatment or evaluation of research subjects; for FDA regulated research, an investigator is an individual who is listed on a 1572. The term also includes the Immediate Family Member of the Investigator.

Key Research Personnel: Principal Investigator, Sub-Investigator, CRC and any individual performing various tasks related to the conduct of human subjects research activities. Such involvement would include:

- Obtaining information about living individuals by intervening or interacting with them for research purposes;
- Obtaining identifiable private information about individuals for research purposes;
- Obtaining the voluntary informed consent of individuals to be subjects in research; and
- Studying, interpreting, or analyzing identifiable, private information or data for research purposes

Management Plan: the taking of action to address a conflict of interest, which can include reducing or eliminating the conflict of interest, to ensure, to the extent possible, that the design, conduct and reporting of research will be free from bias and/or the appearance of a conflict of interest.

Principal Investigator (PI): The person responsible for the conduct of a Clinical Research study at the study site. The Principal Investigator is the responsible leader of the team.

Prohibited Conflict: a conflict of interest that is never acceptable because there is no feasible way to manage the conflict. Prohibited conflicts include:

Any personal incentive payments, bonus payments, finder fees, or any type of payment or incentive based on outcome that are made directly to the Investigator or Research Personnel relating to the proposal, conduct, supervision, or reporting of research (e.g., additional personal payments by research sponsors to Investigators or Research Personnel who enroll a certain number of participants in a project within a certain period of time), or with respect to the evaluation of a product or service intended for a commercial market (e.g., a clinical trial for a pharmaceutical company), regardless of the amount of compensation or payments received.

Research: is a systematic investigation designed to develop or contribute to generalizable knowledge.

Research Personnel: an individual or individuals, including Cottage Health employees, members of the Cottage Health IRB, CHRI staff, nurses, residents, etc., who contribute to a research activity.

Significant payments of other sorts (SPOOS): payments made by the sponsor of a covered study to the investigator or the institution to support activities of the investigator that have a monetary value of more than $10,000, exclusive of the costs of conducting the clinical study or other clinical studies, (e.g., a grant to fund ongoing research, compensation in the form of

equipment or retainers for ongoing consultation or honoraria), when aggregated over a 12 month period.

Sponsor: An individual, company, institution, or organization which takes responsibility for the initiation, management, and/or financing of a Clinical Research study.

Sub-Investigator (Sub-I): any Key Research Personnel who plays a significant role in the conduct of the Clinical Research study.

PROCEDURE

This policy applies to all investigators, research study staff, members of the institutional review board and all others who propose, conduct, or report research at Cottage Health or utilize the resources of Cottage Health, regardless of funding source. This policy applies to all sponsored projects, including government and non-government funded projects (such as industry or foundation sponsors), Cottage Health funded projects, gift funded projects, clinical trials and unfunded research projects.

1) Investigators and Research Personnel are responsible for identifying and disclosing actual or potential conflicts covered by this policy. Investigators and/or Research Personnel should evaluate potential conflicts of interest not only at the outset of their research, but also when a change occurs in their relationship with an outside entity. This may occur at the time a new proposal is submitted, when a new relationship is established with an outside entity, or when a prior relationship with an outside entity changes.
    A) Investigators are required to submit an "Investigator Financial Interest Disclosure Form for FDA-Regulated Research" as part of the research application.
    B) CH COIR and CH IRB may request additional information in order to determine if a conflict of interest or significant conflict of interest exists
    C) As applicable, sponsors of clinical research may request that Investigators complete annual financial conflict of interest disclosures. Investigators must adhere to sponsor-specific disclosure requirements
    D) Annually, at the time of continuing review, CHRI requests Investigators to disclose if there has been a change to their previously disclosed financial conflicts of interest.

2) As stipulated in HHS regulations at 45 CFR 46.107(e), no CH IRB member may participate in CH IRB's initial or continuing review of a project in which the member has a conflicting interest, except to provide information requested by CH IRB.

    In compliance with OHRP recommendations, CH IRB members absent themselves from the meeting room during final deliberations and abstain from voting on research in which they have a conflicting interest. This information is noted in the CH IRB meeting minutes.

    Whenever possible, CH IRB will avoid the installment of primary IRB members who often have a conflict of interest. These members would need to be excused from deliberations and voting – creating the risk of losing a quorum. For example, researchers who are frequently listed as the primary investigator for studies being reviewed by CH IRB are not good candidates for primary CH IRB membership. However, it is acceptable for such individuals to be alternate members.

3) Additional disclosures may be required under other Cottage Health conflict of interest policies. In the event the Investigator or Research Personnel is required to disclose conflicts under other Cottage Health Policies, such will provide a copy of those disclosures alongside

the disclosures required under this policy. Disclosure under this policy will not preempt or otherwise remove the obligation from an individual to disclose conflicts of interest under another Cottage Health policy.

4) CHRI has instituted a multi-level review of disclosures of conflicts of interest in research. These potential conflicts of interest are reviewed alongside publicly available sources of information regarding industry and physician financial relationships (e.g. Physician Payment Sunshine Act).
    A) CHRI internal review.
    B) CH COIR annual and ad hoc review.
    C) CH IRB review at initial, continuing and ad hoc IRB review

5) Given the complexity of industry and other external private partner financial and non-financial relationships, disclosures will be evaluated on a case-by-case basis to determine whether the disclosure constitutes a conflict of interest and, if so, to determine an appropriate action.

6) In the course of this multi-level review, if a case involving a significant equity interest, a proprietary interest or SPOOS arises, the Investigator or Research Personnel must provide timely and accurate information in response to a request by the reviewing group or committee in order for the group or committee to make an initial determination regarding the disclosure and/or to monitor their compliance with a conflict of interest management plan.
    A) The Investigator or Research Personnel must present compelling circumstances as to why the research should proceed despite the significant conflict.
    B) CH COIR, CH IRB and any other reviewing group or committee must provide an assessment of whether compelling circumstances exist that justify allowing the research to proceed despite the presence of the conflict. Each case determination is specific to the circumstances involving the conflict and the particular research.
    C) In the event a conflict of interest management plan is created, the Investigator or Research Personnel must comply with the elements of the management plan, including any additional education or conflict of research training.

7) All management plans must, as a minimum, contain the following elements:
    A) All relevant publications, proposals and presentation must contain a statement disclosing support received from, or financial interests in, the source of financial interests;
    B) All informed consent documents must disclose support received from, or financial interests in, the sponsor of such research.

8) Management plan may contain the following elements:
    A) Additional monitoring and oversight by CHRI, CH COIR and CH IRB;
    B) Reformation of the research protocol or work plan;
    C) Restrictions on the analysis of data;
    D) Establishment of an independent data and safety monitoring committee or similar monitoring body;
    E) Close monitoring of the research project by independent reviewers;
    F) Removal from the research project of an Investigator and/or Research Personnel with an apparent or actual conflict of interest;
    G) Reduction of the financial interest;
    H) Elimination of the financial interest (i.e. severance of the divestiture that caused the conflict of interest;

I) Separation of responsibilities for financial decisions and research decisions;
J) Disapproval of Key Research Personnel's ability to perform research.

9) In the event CH COIR becomes aware of a conflict of interest in research and they determine the conflict will compromise or appear to compromise the investigator's objectivity in performing a research project, CH COIR has the authority to overrule the approval of any reviewing group or committee (including CH IRB).

10) Failure to report a conflict of interest or to submit an accurate required "Investigator Financial Interest Disclosure Form for FDA-Regulated Research" or refusal to cooperate in the management of a conflict of interest, may be cause for disciplinary action. CHRI, CH COIR and CH IRB may recommend suspension of research on the part of any individual who has violated this policy.

11) In the event a conflict of interest results in an actual compromise of research, CHRI will notify the sponsor promptly and submit a mitigation report. The mitigation report will include, at a minimum, the key elements documented in the retrospective review and a description of the impact of the bias on the research project. It will also outline CHRI's plan to eliminate or mitigate the effect of the bias.

REFERENCES (if applicable for EBP)

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Key Words:	Conflict of interest, research, financial disclosure		
Related Policies:	8013-IRB25; Conflicts of Interest 7.08; Corporate Compliance Program		
Previous Review Dates:	4/06, 1/08, 1/09, 5/14, 06/17	**Previous Revision Dates:**	4/11, 1/01
Superseded:			
Regulations/ Standards References:	• Financial Relationships and Interests in Research Involving Human Subjects: Guidance for Human Subject Protection, May 2004. • 21 CFR Part 54 – *Financial Disclosure by Clinical Investigators* • Guidance for Clinical Investigators, Industry, and FDA Staff: Financial Disclosure by Clinical Investigators • 45 CFR 46.107(e) • 42 CFR Part 50 Subpart F- *Promoting Objectivity in Research* • California Health & Safety Code 24173 • 42 CFR Parts 402, 403 • 42 CFR 411.351		