Policy II – Conflicts of Interest in Business Affairs in General

Target Group:
Cleveland Clinic United States Locations-
Professional Staff

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Purpose
To assure professional and commercial integrity in all matters, Cleveland Clinic United States (CCUS) maintains a program that identifies and addresses conflicts of interest in business affairs and in general.

Policy Statement
Members of CCUS’ workforce have broad access to confidential information regarding CCUS’ clinical, business, research, education and other activities, including CCUS’s proprietary information, intellectual property, and strategic plans. No CCUS Professional Staff member (“Staff”) or Cleveland Clinic – main campus Official shall use a position with CCUS (including its wholly-owned affiliates), or confidential information acquired as a result of his or her position with CCUS, to permit a Conflict of Interest to arise between Cleveland Clinic Enterprise (CCE) interests and his or her personal interests.

Definitions
Cleveland Clinic United States locations- Includes the main campus, Avon, Euclid, Fairview, Hillcrest, Lakewood, Lutheran, Marymount, Medina, South Pointe, Children’s Hospital for Rehabilitation, Cleveland Clinic Florida, Cleveland Clinic Hospital (Weston), and all Family Health Centers, Physician practice sites, Nevada practice sites, Emergency Departments, Urgent Care Centers and Ambulatory Surgical Centers reporting to these facilities.

Policy Implementation
A Conflict Of Interest may exist when a CCUS Staff member or a member of his or her Immediate Family or an entity directed or controlled by any of them, has an interest in (including relationships with) a Non-Cleveland Clinic (CC) Entity—whether investment, compensation*, or otherwise—that could be reasonably perceived as influencing his or her activities in patient care, research, administrative decisions, education or business transactions for CCE. To help advance
CCE’s mission, Staff members must respect the confidentiality of CCE’s information, act in the best interests of CCE, and disclose to the IM&COI Program all of their existing and potential personal interests that may result in a Conflict Of Interest.

- **Members of the CCUS Professional Staff** must disclose all potential and existing relevant personal interests (including **Significant Financial Interests in research****) that may result in a **Conflict of Interest**. The disclosure must be made through the online Conflict of Interest Disclosure system both prior to their Annual Professional Reviews, and within 30 days in response to a material change in Financial Interests.

- **Cleveland Clinic – main campus Officials**, whether Members of the Professional Staff or not, must disclose Financial Interests to the IM&COI Program as described above for the Professional Staff and also must disclose any **Institutional Financial Interests in research.***

  (In addition to these requirements, Cleveland Clinic – main campus Officials who are elected Officers must separately comply with the conflict of interest requirements of the Board of Directors.)

Interests reported in prior years must be redisclosed annually if still applicable. The IM&COI Program will review all disclosed interests – whether they involve clinical care, education, research, or other activities - and notify the affected Staff member if the circumstances warrant further review, recusal, oversight, a Conflict Management Plan, Public Health Service-Reportable Conflict Management Plan, or other action.

**No Royalty Payments or other Commercialization Revenues for use at CCE of Products Commercialized by CCUS or developed by CCUS Employees**

See **Policy III Conflicts of Interest in Research** for restrictions on the receipt of royalty revenues from products used, sold or purchased by CCE. There is no restriction on the receipt of royalty payments by CCE or its Healthcare Providers for the purchase and use of products at locations other than CCE.

**Donating to Charities Part or All of Honoraria or Consulting Compensation, Royalties and Other Revenues from Commercialization Received from Non-CC Entities**

See **Policy III Conflicts of Interest in Research** and **Policy VI Conflicts of Interest in the Practice of Medicine** for information on donating compensation to charity.

CCUS maintains the highest degree of integrity and fiscal responsibility and compliance with the obligations of tax-exempt organizations, physician self-referral laws, and applicable fraud and abuse laws. This policy is enacted, in part, to comply with these laws. Questions about the information to be disclosed may be addressed to the Director of the IM&COI Program. Personal or institutional interests that may involve potential legal or compliance issues should be referred to the Cleveland Clinic Law Department.

* Consistent with CCUS’s Corporate Compliance Program, Staff members must not directly or indirectly accept any compensation or benefit—in cash or in kind, regardless of amount or value—which in any way might tend to influence their judgments or actions for CCUS in a way that is detrimental to the best interests of CCUS. The receipt of any such compensation or benefit should not be considered permissible merely because it appears to be a customary or common business practice in certain industries. Relationships with and/or benefits from medical vendors are discussed in other policies and or guidance.

** Pursuant to **Policy III Conflicts of Interest in Research**.

*** Pursuant to **Policy IV involving institutional conflicts of interest in research**.
Oversight and Responsibility

The Office of Professional Staff Affairs is responsible to review, revise, update, and operationalize this policy to maintain compliance with regulatory or other requirements.

It is the responsibility of each hospital, institute, department and discipline to implement the policy and to draft and operationalize related procedures to the policy if applicable.