



American Academy of
Hospice and Palliative Medicine

CONFLICT OF INTEREST POLICY

Effective: November 2008; December 2010

The American Academy of Hospice and Palliative Medicine (the “Academy”) is dedicated to expanding access of patients and families to high quality palliative care, and advancing the discipline of Hospice and Palliative Medicine, through professional education and training, development of a specialist workforce, support for clinical practice standards, research and public policy. The integrity of the Academy, and the activities it undertakes, depends on the avoidance of conflicts of interest, or even the appearance of such conflicts, by the individuals involved in those activities.

At the same time, the Academy recognizes that the elected and appointed leaders of the Academy, as well as other individuals acting on its behalf, also have significant professional, business and personal interests and relationships. Therefore, the Academy has determined that the most appropriate manner in which to address actual, potential or apparent conflicts of interest is initially through liberal disclosure of any relationship or interest which might be construed as resulting in such a conflict. Disclosure under this Policy should not be construed as creating a presumption of impropriety or as automatically precluding someone from participating in an Academy activity or decision-making process. Rather, it reflects the Academy’s recognition of the many factors that can influence one’s judgment and a desire to make as much information as possible available to other participants in Academy-related matters.

Any individual involved in an Academy activity (e.g., developing or delivering educational content) or decision-making process shall have an obligation to disclose any conflicting or potentially conflicting personal, professional or business interest he or she may have, directly or indirectly, with the affected activity or decision. Potentially conflicting interests may relate to the Academy’s programs and services (e.g., educational courses) or its operations (e.g., contracts with third parties).

In particular, participants in Academy-related activities are obligated to disclose the positions they hold or relationships they have within the Academy and with other organizations or entities that may conflict, directly or indirectly, with their Academy activities. They also have an obligation to disclose any significant financial interest in, or other relationship with, an entity having a “commercial interest” in the activity. A commercial interest may exist not only where the entity’s products or services are under consideration by the Academy, but also where the entity’s products or services are in competition or potential competition with those under consideration. By the disclosure of such interests, the Board of Directors or its designee(s) will be in a better position to determine whether the participant may have an interest in conflict with the interests of the Academy.

The Academy primarily is concerned with potential conflicts of interest involving those individuals participating directly in Academy-related activities. Potential conflicts of interest also may arise, however, if an individual with whom the participant directly shares income (e.g., a spouse, minor child, or business partner) or a third party whose interest may affect the participant’s decision-making (e.g., a sibling or adult child) has an interest in, or relationship with, an entity having a commercial interest in the activity or matter under consideration. As a result, participants should disclose not only their own interests or relationships but also those of their spouse or minor children. In addition, participants should disclose interests or relationships held by others that may affect their decision-making, but only to the extent they are aware of such information. Participants are under no obligation to determine the nature of every interest held by a sibling, business partner, etc. if they have no independent knowledge of such interests.

In general, participants should err on the side of disclosure if in doubt as to whether it is required under the Policy. Examples of relationships or interests related to the Academy or association management which should be disclosed include:

Ownership Interests

Any ownership interests (including stock options but excluding indirect investments through mutual funds and the like) in a company, the stock of which is not publicly traded, must be disclosed. Ownership interests in excess of \$10,000.00 in companies that are publicly traded also must be disclosed. In addition, any other ownership interests in an entity having a commercial interest in an activity or matter under consideration by the Academy must be disclosed.

Employment

Any current or proposed full- or part-time employment, as well as any employment within the previous three (3) years, must be disclosed.

Consultancies

Any current or proposed consulting arrangements, as well as any consulting performed or paid for within the previous three (3) years, must be disclosed.

Honoraria

Honoraria or other reasonable payments for seminar presentations, speeches, or appearances must be disclosed in the event the amount paid within the previous three (3) years, or about to be paid, is equal to or greater than \$2,000.00 per year or \$5,000.00 over a three-year period.

Relationships with Other Organizations/Entities

Any leadership role in, or other relationship with, another organization or entity (e.g., board member, committee member, advisor) directly or indirectly related to the Academy or association management must be disclosed.

Integral to the implementation of the Conflict of Interest Policy is the Academy Conflict of Interest Disclosure Form which shall be considered a part of the Conflict of Interest Policy and must be submitted by any individual participating in an Academy activity. The Academy has a form to be completed by the Board of Directors and those in decision-making roles and a form to be completed by those involved in the development or delivery of educational activities. Initially, a participant's obligation to report actual, potential or apparent conflicts is discharged by completing the appropriate Disclosure Form. Participants remain under a continuing obligation, however, to report such conflicts as they arise, including those that were not reported on the appropriate Disclosure Form, but which later become relevant to the Academy activity in which they are involved.

No key Academy leader, defined for purposes of this policy as the Presidential line of succession, the chief executive officer, or the appointed Editor-in-Chief of the Academy journal, may have direct financial relationships with companies* during his or her term of service.

Disclosure Forms shall be kept on file at the Academy's office for a period of two (2) years, or one (1) year after the conclusion of the relevant activity or decision-making process, whichever is longer, unless otherwise determined by the Board. Failure of an individual to complete and return the appropriate Disclosure Form by the requested date will result in disqualification from participation in the elected or appointed position or activity for which they are participating.

In order to facilitate implementation of the Conflict of Interest Policy, the Board or its designee(s) shall determine, based on the appropriate disclosure form and other relevant information, when an individual

engaged in, or about to engage in, a Academy-related activity or other matter under consideration has an actual, potential, or apparent conflict of interest requiring some response by the Academy. Specifically, subject to the procedures set forth herein, the Board or its designee(s) may require any action they deem appropriate, including, but not limited to, the following:

1. Disclosure of the interest to the other participants in the decision- or policy-making body (e.g., board, committee).
2. Written and, in some cases, oral disclosure of the interest (e.g., to an audience at an educational session).
3. Recusal from voting on a matter and limitation of the individual's participation only to the provision of factual information of benefit to the group discussion.
4. Complete recusal from a portion of a meeting or from other consideration of the subject matter.
5. Replacement of the individual in the affected position or activity.

In most instances, disclosure of the conflicting or potentially conflicting interest will itself suffice to protect the Academy's interests. In other words, once such a conflict is fully disclosed to the relevant parties, they generally will be able to evaluate the possible influence of the disclosed interest. In situations where such disclosure does not adequately deal with actual or potential problems, however, additional action, including denial of participation in the affected activity or consideration of the matter, may be necessary.

All participants in Academy-related activities must comply with the Academy Conflict of Interest Policy. Non-disclosure may result in sanctions determined by the Board of Directors or its designee(s). It is the responsibility of the disinterested members of the Board or designated committee chairs, etc. to interpret and apply this Policy. And, inasmuch as the Policy is stated in general terms, the Board or its designee(s) should use their best judgment in doing so.

***Company:** A Company is a for-profit entity that develops, produces, markets, or distributes drugs, devices, services or therapies used to diagnose, treat, monitor, manage, and alleviate health conditions. This definition is not intended to include non-profit entities, entities outside of the healthcare sector, or entities through which physicians provide clinical services directly to patients.