

CONFLICT OF INTEREST POLICY

The San Juan Bautista School of Medicine (SJBSM) defines a conflict of interest as follows:

A conflict of interest (COI) occurs when a person (including a member of his/her immediate family) or an affiliate (engaged with SJBSM in direct or indirect business transactions) is involved in interests or activities (financial or otherwise) that may present a potential or actual conflict with the interests of SJBSM and/or adversely affect independent decision making.

The institution expects that the following examples of COIs should be avoided:

- Individual conflicts or conflicts involving members of an individual's immediate family member or someone with whom they may have a personal relationship.
- External obligations that could represent an actual or potential conflict, including employment that interferes with the obligation and commitment with SJBSM.
- Personal financial interests with SJBSM or external parties (or financial interests of an immediate family member) that represent a conflict of interest.

This definition is applicable to all members of the institution's governing board and to its employees. Specifically, this policy addresses the requirements and expectations pertaining to COI for the following constituent groups:

1. Board of Trustees
2. Faculty
3. Researchers
4. Administrative staff

Board of Trustees

Each member of the SJBSM Board of Trustees must review the Conflict of Interest Policy and sign the Certification and Disclosure Form annually. This Process is also applicable to the President/Dean. By reviewing the statement and signing the form, Board members acknowledge their understanding of the institution's requirements and expectations for actual or potential conflicts as well as to certify that he/she has no conflicts. The policy extends to any business or financial decision or transaction that involves a representative of SJBSM, including Trustees and/or a member of his/her immediate family member or someone with whom they may have a personal relationship. Should a potential or actual conflict arise, the Board member will report it to the Board Secretary or to the SJBSM Conflict of Interest Compliance Officer, who, in turn, will report it to the Board for consideration and action.

Faculty and Researchers

Each new SJBSM employee receive from human resource materials and information at the time of hire, including a copy of the Conflict of Interest (COI) Policy and the Certification and Disclosure Form, which must be signed at the time of the initial hire. Each member of the SJBSM Faculty and Researches must review the Conflict of Interest Policy and sign the Conflict of Interest (COI) Certification and Disclosure Form annually.

Under no circumstances a faculty member is allowed to engage in activities that present (or have the potential to present) a conflict of interest when serving as a representative of SJBSM. Faculty members must not accept or request gifts or benefits in exchange for a service, must not supervise, evaluate or participate in committee decisions that directly or indirectly relates to a family member or someone with whom they may have a personal, financial, counseling or advising relationship.

Faculty and researchers may use their professional expertise to engage in consulting and/or other external activities as long as such activities do not constitute a conflict of interest or otherwise detract from the primary responsibilities of faculty to SJBSM's teaching, research and clinical programs as well as any other stated obligations to the institution. Faculty members and researchers are required to disclose specific activities or interests that may present a potential conflict between their personal interests and their responsibilities to the Conflict of Interest Compliance Officer.

With regard to research, a potential conflict could arise if a financial interest appears to affect the design, conduct, reporting, review or oversight of research. Further, conflicts involving financial interests are of particular concern when such interests create actual or the appearance of inappropriate influence over research or a research project, especially when the safety and care of research subjects and/or patients are involved. Researchers are required to disclose specific activities or interests that may present a potential conflict between their personal interests and their responsibilities to SJBSM. The SJBSM Conflict of Interest Compliance Officer oversees adherence to the institution's conflict of interest policies and procedures. Ghost-writing services and plagiarism are not permitted.

Administrative Staff

As noted previously, each new SJBSM employee is provide with materials and information at the time of initial hire that includes the COI Policy and Conflict of Interest (COI) Certification and Disclosure Form, which must be review and sign. The same expectations for disclosing actual or potential conflicts apply. Administrative Staff must review the Conflict of Interest Policy and sign the Conflict of Interest (COI) Certification and Disclosure Form annually.

Other possible conflict of interest

Gifts and Meals and Contributions

No gifts, meals or accommodations can be accepted by individual members from vendors or pharmaceutical suppliers. All gifts or contribution to SJBSM must be directed through the administrative office of the school and the school will determine if there is a possible conflict of interest.

Continuing Medical Education

To ensure the CME independence, the CME programs must follow the Accreditation Council for Continuing Medical Education Standards for Commercial Support. The standards require that individuals involved in the development and presentation of CME activities must disclose relevant financial relationship that includes the individual spouse or partner with commercial interest, to evaluate and plan strategies to resolve conflicts of interest that arise when those with relevant financial relationship with commercial interest have opportunity to control CME content and must disclose to learners if there is or not any relevant financial relationship for those in control of CME content prior to the educational activity.

SJBSM Conflict of Interest Process/Procedures for Resolution

The SJBSM Conflict of Interest Compliance Officer is responsible for ensuring that the policy is followed and that procedures are comply with, when a potential or actual conflict is reported. COI Policy is available for revision in the institution policy manual, faculty manual, personnel manual, the official web page and is discussed at boards meetings. All members covered by this policy must disclose their knowledge of a potential or actual conflict of interest, failure to comply with this disposition can result in permanent separation from his/her position. The Conflict of Interest Compliance Officer will oversee that the process and procedures for resolution are follow.

Board of Trustees:

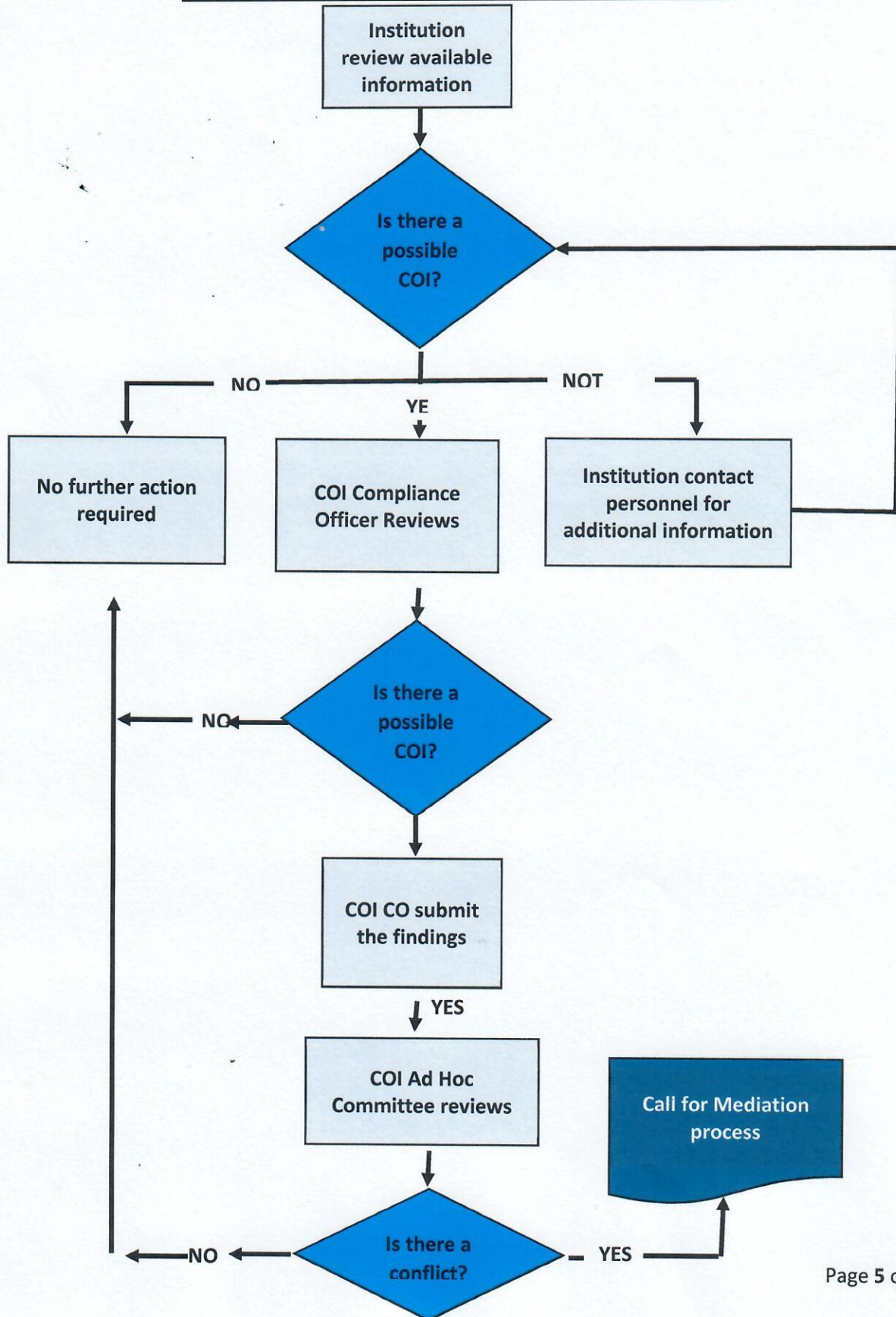
The Board of Trustees members shall disclose conflicts of interest to the Secretary of the Board as they arise. Each trustee shall also submit to the Secretary of the Board the Conflict of Interest (COI) Certification and Disclosure Form, annually. A trustee's that fails to disclose a presumed conflict of interest, or refuse to submit the completed annual disclosure statement, may set the be grounds for removal from the Board or President/Dean's position. If is determined that there is a potential or actual conflict, the Board member will be asked to recuse him/herself from discussion and/or decision-making with regard to the matter or issue that presented a conflict. The recusal will be noted in the minutes of the Board of Trustees. This process is also applicable to the President/Dean. The SJBSM Conflict of Interest Compliance Officer is responsible for ensuring consistent adherence to the COI policy.

SJBSM Employees (Faculty, Researchers, Administrative Staff):

The following process will be implemented in situations when SJBSM employees may have a potential or actual conflict of interest.

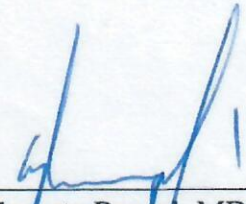
- (a) The faculty, Researcher or Administrative Staff can recuse himself or herself or will be asked to recuse him/herself from discussion and/or decision-making with regard to the matter or issue that may present a potential conflict. The recusal will be noted in the minutes and no further action is required.
- (b) If a possible conflict is reported, a review of information pertinent to the situation will be reviewed by the administrator or supervisor of the individual. If applicable, a confidential interview is conducted by the Conflict of Interest Compliance Officer with the individual who may have a conflict of interest. There may be occasions when it will be necessary to also conduct interviews with other individuals who may have additional information.
- (c) The Conflict of Interest Compliance Officer will determine, based on the information gathered and the interview(s) conducted, if there is a potential or actual conflict of interest in accordance with SJBSM's conflict of interest policy. If, subsequent to the initial review, the Conflict of Interest Compliance Officer determines (1) there is no conflict of interest, the matter will be considered closed; (2) if there does appear to be a potential or actual conflict, the matter will be forwarded to an Ad-hoc COI Committee; (3) if a determination could not be made because of the absence or insufficiency of information or documentation, further requests will be made to provide such information or documentation.
- (d) In the event that subsequent to the review of information/documentation, the matter appears to be an actual or potential conflict of interest, the Conflict of Interest Compliance Officer will forward the information/documentation and analysis regarding the matter to the Ad-hoc COI Committee for review and decision as to whether the matter constitutes a conflict of interest. The COI Committee is an ad hoc committee appointed by President/Dean.
- (e) Based on the review of relevant information/documentation and analysis provided by the Conflict of Interest Compliance Officer, the COI Committee will determine if the situation or matter presents a conflict of interest. If there is evidence of a conflict of interest, the COI Committee will determine the appropriate action or resolution of the matter.
- (f) If the individual or parties found to have a conflict of interest wish to have the decision reconsidered and agree to mediation, the President/Dean will select an independent attorney to mediate the matter.

SJBSM Conflict of Interest Review Process



Monitoring of Conflict of Interest Policy

- (a) Conflict of Interest Compliance Officer will review the Conflict of Interest Certification and Disclosure Form signed by new SJBSM employees at the moment of initial hiring and annually signed by all staff, faculty, researchers. the direct supervisor of any member who has not signed the Conflict of Interest disclosure, between July to November of the academic year.
- (b) Conflict of Interest Compliance Officer will notify form and the due date to receive the sign form.
- (c) Conflict of Interest disclosure form will be under the custody of the COI Compliance Officer, in his/her assigned office space as well as all documents of the review process.
- (d) Conflict of Interest Compliance Officer will submit an annual report to Dean/President on the institution compliance with the Conflict of Interest Policy.
- (e) Board of Trustees Secretary will submit an annual report on the institution compliance with the Conflict of Interest Policy to the President of the Board and a copy of the report to the Conflict of Interest Compliance Officer.



Yocasta Brugal, MD
President/Dean

Approved: April 27, 2015
Revised: July 1, 2017