(A) Policy Statement

To maintain academic and clinical integrity, as well as the public trust, Individuals in the College of Medicine should avoid financial interests and activities that would create a Financial Conflict of Interest with their Institutional Responsibilities at the University of Toledo.

(B) Purpose of policy

It is the purpose of this policy to lay out the expectations of College of Medicine faculty, staff and students to avoid financial interests and activities which conflict with their institutional responsibilities.

(C) Rules Applicable to Faculty in the College of Medicine

Conflicts of Interests of Individuals within the College of Medicine are strongly discouraged but are sometimes unavoidable. Because even the appearance of a conflict of interest could have a negative impact on an individual’s institutional responsibilities, it is the responsibility of individuals to disclose those interests to the affected parties. Conflicts of Interests, as used in this policy, refer to any situation in which the Financial Interests or Significant Relationships of the Individual or their Family Members might bias – or reasonably appear to bias –the education, clinical activities, purchases or purchase recommendations undertaken on behalf of the University or the University of Toledo Medical Center.

Furthermore, employees of the state must avoid situations in which they might gain personally as a result of the decisions they make or influence as public servants. The Ohio Ethics Law prohibits certain activities in which an employee’s personal or immediate family members’ financial or business matters might intersect with University matters. Ohio Ethics Law generally makes the following activities unlawful for a University employee:

- having an interest in a contract involving the University;
- using his or her authority or influence to obtain a contract between the University and a family member or business associate of the employee;
- using his or her authority to make or influence the purchase of any property, goods or services when the employee, employee’s family or employee’s business may profit from the transaction;
- accepting compensation for the performance of his or her university duties from any person or entity
individual conflict of interest in education and clinical care

other than the University;
- accepting a gift from any party that is seeking to do business with, or interested in the outcome of matters before the University; or
- accepting anything of value that will exert a substantial and improper influence upon them with respect to their University duties.

This policy does not specifically address compliance with Ohio Ethics laws or disclosure. University employees and faculty should review University of Toledo Board of Trustees bylaw 3364-1-06 and applicable University policy with respect to application of these laws and rules to employees of the University. Additional information may be obtained on the Ohio Ethic's Commission website at www.ethics.ohio.gov.

(D) Definitions

(1) “Clinical Activities” include all patient and non-patient interactions that occur as a consequence of the professional clinical expertise of faculty or the administrative role of staff.

(2) “Immediate Family” means the Individual’s spouse or domestic partner, and any dependent child.

(3) “Financial Interest” as used in this policy exists for payments to, and/or equity interests of, the Individual or the Individual’s Immediate Family, and appears to be related to the Individual’s Institutional Responsibilities for one or more of the following interests:
- An equity interest or entitlement to equity (including options or warrants) in a in a publicly traded or non-publicly traded entity, except when that interest or equity is in the form of a mutual fund or pension fund;
- Intellectual property rights (e.g. patents, copyrights), royalties or milestone payments from such rights, and agreements to share in royalties related to such rights, including those with potential monetary value, whether direct or indirect, from the sales of a commercial or investigational product that is the subject of the educational activity or clinical activity; or
- Consulting fees, salary, honoraria, speakers fees, gifts or other payments, or “in kind” compensation from any source, costs of travel, lodging, etc. paid by a for-profit entity for attendance at seminars, meetings, etc., unless this travel is required for participation in a clinical research study (e.g., an investigator’s meeting prior to initiation of the University of Toledo as a clinical trial site), with the exception of the following:
  • Publication - Scholarly communications in the form of books, movies, television productions, etc., though frequently earning financial profit for a faculty member and for another party, are not viewed as consultation. Such communications may be subject to University policies governing intellectual property. This exception does not include payments for “ghost writing” for commercial or non-commercial entities, which is never allowable.
  • Clinical Practice - Faculty participation in a practice plan approved by the University of Toledo Board of Trustees.
  • Professional Service – External professional activities that reflect normal and expected public service activities of faculty and that do not entail compensation beyond reimbursement for expenses and/or a nominal honorarium.

(4) “Individual(s)” means, College of Medicine faculty (excluding volunteer faculty), who, on behalf of the University in the College of Medicine are responsible for the design, conduct or delivery of education; or others who on behalf of the College of Medicine or the University of Toledo Medical Center have
professional oversight for or make purchases related to clinical activities.

(5) "Significant Relationship" as used in this policy means one or more of the following:

- An appointment to serve, in either a personal or representative capacity, as an officer, director, or board member of a commercial sponsor of UT research, educational or clinical activity whether or not remuneration is received for such service; or
- An appointment to serve on the scientific advisory board of a commercial sponsor of UT research, education, or clinical activity, unless the official has no current Financial Interest in the sponsor or its commercial or investigational products and agrees not to hold such an interest for a period of no less than three years following completion of any related research, education, or clinical activity.

Approved by:

[Signature]

Jeffrey P. Gold, M.D.
Chancellor and Executive Vice-President for Biosciences and Health Affairs

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Review/Revision Completed by:
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