



## Policy on Conflicts of Interest

### BACKGROUND

Individuals who support the American Board of Emergency Medicine's (ABEM) activities may be asked to participate in an activity that would present a conflict of interest with their ABEM activities. The following policy is intended to guide the current president, directors, all ABEM-appointed representatives to subspecialty or Focused Practice subboards or examination committees, written examination item writers, and oral examiners when faced with decisions about participating in other activities.

### POLICY

It is the policy of ABEM that current president, directors, ABEM-appointed subspecialty or Focused Practice designation representatives, item writers, and oral examiners shall avoid all conflicts of interest. A 'conflict of interest' is a direct or indirect financial, personal, or other interest, which would or could reasonably be perceived as limiting the individual's ability to serve the best interest of the Board without discrimination or favoritism. Indirect interests include the individual's relatives and institutions, associations, businesses, or other organizations, whether or not for-profit, that employ or hold some other claim to the individual's primary loyalty.

Each individual has the personal responsibility of identifying when a conflict of interest exists or appears to exist, and for taking appropriate action to eliminate the conflict or the appearance of the conflict. If the individual is unsure whether a conflict exists, all relevant information should be disclosed to the ABEM staff for handling. All ABEM Board meetings begin with a request for Declaration of Conflicts of Interest as an additional means of uncovering such issues, if they exist.

When any staff or volunteer named in this policy encounters a conflict of interest, it is the policy of ABEM that if the conflict cannot be removed or resolved in collaboration with the staff and Board leadership present, the person avoids the conflict by recusing themselves from the situation that presents the conflict for them. Recusal here means temporarily not participating in the situation where a conflict exists. This policy does not touch on an individual's overall service to ABEM.

ABEM staff is authorized to resolve potential conflicts of interest that are clearly identified by current Board policy as not being a conflict.

**PROCEDURES**

Individuals affected by the policies will be given a copy of all conflict of interest policies relevant to their position with the Board.

Area of Conflict	Elected Positions	Appointed Positions Examination-involved
	<ul style="list-style-type: none"> <li>➤ President</li> <li>➤ Directors</li> </ul>	<ul style="list-style-type: none"> <li>➤ Any ABEM Business</li> <li>➤ Oral Examiners</li> <li>➤ Item Writers</li> <li>➤ Subspecialty Representatives</li> <li>➤ Focused Practice Designation Representatives</li> <li>➤ LLSA CME Reading Panel Members</li> <li>➤ Stimulus Collection and Review Panel Members</li> </ul>
Commercial/financial	<ul style="list-style-type: none"> <li>• Policy on Conflicts of Interest</li> </ul>	<ul style="list-style-type: none"> <li>• Policy on Conflicts of Interest</li> </ul>
Organizational affiliation	<ul style="list-style-type: none"> <li>• Policy on Conflicts of Interest</li> </ul>	<ul style="list-style-type: none"> <li>• Policy on Conflicts of Interest</li> </ul>
Maintenance of confidentiality	<ul style="list-style-type: none"> <li>• <a href="#">Confidentiality and Work-for-Hire Agreements</a></li> </ul>	<ul style="list-style-type: none"> <li>• <a href="#">Confidentiality and Work-for-Hire Agreements</a></li> </ul>
Access to board examinations for purpose of certification	<ul style="list-style-type: none"> <li>• Policy on Directors’ Participation in Subspecialty and Focused Practice Designation Examinations</li> <li>• Policy on Directors’ Participation in the ABEM Continuing Certification Process</li> </ul>	<ul style="list-style-type: none"> <li>• Policy on ABEM-appointed Subspecialty and Focused Practice Designation Representatives’ Participation in Continuing Certification (Subspecialty and Focused Practice Representatives)</li> </ul>
Involvement in board preparation courses, lectures, and publications	<ul style="list-style-type: none"> <li>• Policy on Participation in Examination Preparation Activities</li> <li>• Policy on Use of Board Designation to Endorse or Promote Educational Programs and Materials</li> </ul>	<ul style="list-style-type: none"> <li>• Policy on Participation in Examination Preparation Activities</li> <li>• Policy on Use of Board Designation to Endorse or Promote Educational Programs and Materials (Current and Senior Examiners and Item Writers)</li> </ul>
Promotion of educational programs and materials		
Examiner bias		<ul style="list-style-type: none"> <li>• Policy on Bias and Ethics Statement for Oral Examinations (Examiners)</li> </ul>
Volunteer/Staff bias	<ul style="list-style-type: none"> <li>• Policy on Bias for Certification and Continuing Certification Participants</li> </ul>	<ul style="list-style-type: none"> <li>• Policy on Bias for Certification and Continuing Certification Participants</li> </ul>

Individuals will be required to sign a statement attesting that they have read and understand all relevant policies.

Individuals will be required to sign a statement attesting that they have no conflict of interest at the current time or that they have or may have an existing conflict of interest.

If they have no conflict of interest at the current time, they will be required to attest that they will notify the ABEM staff if one should develop.

If they have or may have an existing conflict of interest, they will be asked to describe the perceived conflict in writing. If the declaration of a conflict of interest occurs during a Board of Directors meeting, that declaration is included in the written meeting minutes. If the declaration of conflict warrants, the person with the conflict must disqualify themselves from participation. This will also be documented in the minutes.

All conflicts of interest or perceived conflicts of interest will be directed to the ABEM staff.

## **PROCESS FOR HANDLING CONFLICTS**

- All ABEM Board of Directors Meetings begin with a request to divulge any conflicts of interest. Any such declarations are documented in the meeting minutes.
- All potential conflicts of interest on the basis of the Policy on Conflicts of Interest will be submitted to the ABEM staff. Two managers are responsible for securing signatures on these documents. ABEM will inform all individuals signing necessary Conflict of Interest forms that in instances where the conflict cannot be resolved, recusal will be a possible result of a declared conflict in order to prevent it.
- Staff will obtain all necessary related information and present the information and a recommendation to the president.
- The president will determine if a conflict exists.
- The president, with the consultation of the ABEM staff, will determine the best means of handling the situation.
- If the president declares a conflict of interest, the president-elect will preside over the actions with which the president declared a conflict. This situation is documented in the minutes of the event the declaration occurs in.
- Staff will implement the president's decision.
- The president will bring the situation to the Executive Committee for resolution under the following circumstances:
  1. The president is unclear if a conflict exists
  2. The course of action selected for handling the situation does not yield a clear resolution for the volunteer and the Board
- If it is necessary to bring the situation to the Executive Committee, the Committee will make the final decisions regarding any potential conflicts of interest.

## **EXCEPTION**

None