

EC-08 – Conflicts of Interest

(Owner: Compliance)

Key Points

- Workforce Members of The MetroHealth System (MHS) owe a duty of loyalty to MHS in all activities affecting MHS.
- All Affected Individuals¹ disclose Financial Interests² and other activities that may be perceived as a Conflict of Interest.³
- This policy describes the policy and procedure that pertains to the disclosure and management of Conflict of Interest.

Policy

1. General Principles:

- 1.1. Employees are free of undue outside influences in their MHS duties and exercise the utmost good faith in all MHS business.
- 1.2. Employees do not use their positions, or their knowledge gained from MHS, for personal gain.
- 1.3. Employees avoid Financial Interests and other activities that are a Conflict of Interest. Attachment A provides a non-exhaustive list of situations that may involve a potential Conflict of Interest.
- 1.4. Employees and their Close Relations⁴ disclose Financial Interests or other activities that could be perceived to be a Conflict of Interest and obtain prior approval in accordance with this policy before entering into or maintaining such activities.
- 1.5. Employees do not serve as expert witnesses or accept engagements on behalf of any person whose interests are contrary to MHS in any matter in which MHS or a MHS employee is a defendant.
- 1.6. Employees do not disclose confidential MHS information, at any time, even after they are no longer employed by MHS.
- 1.7. Any Affected Individual with an actual or perceived Conflict of Interest should not use his/her position or personal influence to affect MHS business or relationships.
- 1.8. Affected Individuals disclose potential Conflicts of Interest to the Ethics & Compliance Department (E&C Department) upon hire, annually, and when a potential/actual Conflict of Interest occurs (see disclosure procedure below).
- 1.9. Failing to disclose Conflicts of Interest are a violation of the MHS Code of Conduct.
- 1.10. Suspected Conflicts of Interest should be reported to a supervisor in the chain of command, to the E&C Department (compliance@Metrohealth.org) or to the Ethics Helpline (778-1660).

2. Potential Conflict of Interest Review Submissions:

- 2.1. Hiring/Annual Disclosure
Each Affected Individual completes a Conflict of Interest Disclosure Statement (Disclosure Statement) when hired/contracted and at least annually thereafter.
- 2.2. Reporting Potential Conflicts of Interest Outside of Hiring/Annual Disclosures
Affected Individuals update their Disclosure Statement as soon as individual becomes aware of a change or reasonably soon after it occurs (within 10 days).

- 2.2.1. Affected Individuals submit an updated Disclosure Statement providing a written description of all important facts related to the Financial Interest or other activity that could be a Conflict of Interest to E&C Department.
 - 2.3. Workforce Members who are not required to complete the Disclosure Statement annually disclose any potential Conflict of Interest to the E&C Department as soon as individual becomes aware of a change or reasonably soon after it occurs (within 10 days).
3. Conflict of Interest Disclosure Statement
 - 3.1. The Disclosure Statement records potential Conflict of Interest activities (e.g., Financial Interests, Intellectual Property Interests, Board and Committee Memberships, and other income/gifts) that may impact an Affected Individual's decision making on behalf of MHS. Affected individuals report all current activities, even those the E&C Department previously reviewed.
 - 3.2. Affected Individuals sign a statement affirming that he/she:
 - 3.2.1. Received a copy of this policy,
 - 3.2.2. Read and understands this policy, and
 - 3.2.3. Agrees to comply with this policy.
 - 3.3. Disclosure Statement is available through online education system and or submission of the Disclosure Statement to E&C Department (see Attachment B).
4. Conflict of Interest Reviews
 - 4.1. The E&C Department receives and tracks Conflict of Interest submissions and Disclosure Statements.
 - 4.2. The E&C Department determines if a Conflict of Interest exists and recommends any restrictions or remedial actions to be taken by individuals based upon the disclosures on the Disclosure Statement. Recommendations include: approve, approve with restrictions, or require remedial actions to be taken by individuals.
 - 4.2.1. The E&C Department consults with Legal on Conflict of Interest matters and Management Plan recommendations when necessary.
5. Documentation; Enforcement; Audits:
 - 5.1. E&C Department maintains Conflict of Interest review documentation and any corresponding approval, restriction or remedial actions.
 - 5.2. The Affected Individual's immediate MHS supervisor is responsible for ensuring any restrictions are followed and remedial actions are taken.
 - 5.3. The E&C Department periodically audits an Affected Individual's adherence to a Management Plan.

Attachments

- A. [EC-08A - Examples of Potential Conflicts of Interest](#)
- B. [EC-08B - Conflict of Interest Disclosure Statement](#)
- C. [EC-08C - Board of Trustees COI Policy](#)

See Also

All MHS compliance-related policies, including, without limitation:

- [EC-42 - Responding to Allegations of Research or Scientific Misconduct](#)
- [HR-05 - Confidentiality](#)
- [HR-67 - Secondary Employment](#)

¹ Affected Individuals: Employees or contractors in a position to make decisions on behalf of MHS (i.e., executives, billing providers, directors, managers, supervisors, etc.), credentialed individuals (including contracted providers), and any other employee or contractor who has a potential conflict of interest.

² Financial Interest means:

- an ownership or investment interest,
- receipt of any compensation (e.g., salary, consulting fees), or
- a fiduciary relationship (e.g., director, officer, trustee) with or without pay,
- receipt of gifts, gratuities or other business courtesies (e.g., meals, entertainment) greater than \$75.

³ Conflict of Interest means a financial interest or other activity that compromises or impairs an individual's (A) business judgment, (B) delivery of patient care, (C) loyalty to MHS, or (D) ability to perform his or her responsibilities at MHS.

⁴ Close Relations: includes the following (as well in-laws for each): spouse, domestic partner, children, grandchildren, parents, grandparents, siblings, nieces, nephews, aunts, uncles, or cousins (whether by marriage, lineal descent or adoption); relative by marriage, lineal descent or adoption who receives, directly or indirectly, more than one-half of his or her support from the MHS Employee or whom the MHS Employee receives, directly or indirectly, more than one-half of his or her support; and an individual claimed by the MHS Employee or spouse as a dependent under the United States Internal Revenue Code. (Business Associate includes any individuals, companies, or organizations with which the official is acting together to pursue a common business purpose. Examples of a Public Official's business associates include, but are not limited to, the official's: (1) partners in a partnership; (2) co-owners of a business; (3) outside employer; and (4) co-members of an LLC. An outside employer is considered to be a business associate of MHS.)