



# ABP Corporate Policy

## Conflict of Interest Statement of Policy

### INTRODUCTION

The American Board of Pediatrics (ABP) relies on hundreds of pediatricians and pediatric subspecialists to serve on its Board of Directors, specialty subboards, and committees. Volunteer pediatricians help set the strategic direction of the ABP, provide expertise to various working committees (e.g., Continuing Certification Committee), and write questions and set the passing standard for all examinations. Individuals who volunteer with the ABP are expected to adopt the mission of the ABP as the primary driver of the service they contribute to the ABP.

The ABP seeks clinical, educational, and research experts to serve as volunteers and to most effectively achieve its mission. The ABP recognizes that its volunteers may have real or perceived conflicts of interest based on collaborative relationships with other organizations (including but not limited to pharmaceutical companies, medical device makers, health information technology companies, health insurance companies, and for-profit educational companies) or high-level positions (e.g., executive, director) within another not-for-profit company. A real or perceived conflict of interest (COI) may arise when, due to another commitment, an individual may be influenced in their work for the ABP in ways that could lead to, or appear to lead to, personal gain or advantage for themselves or another organization.

The ABP COI policy is intended to provide guidelines for the identification, disclosure, and management of such conflicts. This policy applies to directors, officers, committee and subboard appointees, senior and other key staff members, consultants, and key agents of the ABP, the American Board of Pediatrics Foundation (ABPF), and affiliated or related entities (hereinafter referred to collectively as the “ABP”). It also applies to those appointed by the ABP to represent the ABP on other boards, committees, or organizations. All such individuals shall be referred to hereinafter in this policy statement as “Applicable Persons.”

Although this policy is intended to address conflicts of interest associated with the work of the ABP, it is also important to note that Applicable Persons may not allow the use of their ABP affiliation for advertising or promoting activities, programs or publications unless approved by the ABP. Please refer to the Creation and Dissemination of ABP Products by External Partners Policy for additional information.

### DEFINITIONS

**Financial conflict of interest:** When an Applicable Person has a financial interest in an issue under discussion or when such an interest resides in an immediate family member.

**Duality of interest:** When an Applicable Person has a relationship with another entity (excluding a financial relationship covered above) that would potentially interfere with their ability to advise or make decisions with the mission and best interests of the ABP in mind.

**Educational conflict of interest:** When an Applicable Person engages in educational activities that interfere, or appear to interfere, with the fairness and accuracy of the work they contribute to the certification or maintenance of certification processes.



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**Research conflict of interest:** When an Applicable Person engages in research activities that interfere, or appear to interfere, with the fairness and accuracy of the work they contribute to the certification or maintenance of certification processes.

**Immediate family member:** A spouse, domestic partner, or child.

#### BACKGROUND

The mission of the ABP is directed to the public interest – *Advancing child health by certifying pediatricians who meet standards of excellence and are committed to continuous learning and improvement.* It is critical that the certification processes, examinations, and related activities designed to meet this mission be influenced by the best available science and clinical practice.

Executives, volunteers, and consultants of the ABP are often chosen for their expertise in a particular area. Along with this expertise comes clinical, educational, and research relationships that are valuable to the individual and the pediatric community at large. The ABP recognizes this value, but also recognizes the potential existence of conflict(s) of interest.

A conflict of interest or potential conflict of interest is present when, because of a competing outside interest, an Applicable Person has an opportunity to influence ABP activities in ways that could lead to, or appear to lead to, personal or other institutional/organizational gain or advantage associated with such interest. Conflicts of interest may be of several types, including financial, duality, educational, and research. These are defined above.

A conflict of interest may give the impression that the certification process and other activities of the ABP are influenced by factors other than the best science and clinical practice. Thus, it is important to identify and manage such conflicts and potential conflicts to prevent even the appearance of bias.

#### FINANCIAL, DUALITY, EDUCATIONAL, AND RESEARCH CONFLICTS OF INTEREST

Conflicts of interest (whether financial, duality, educational, or research in nature) may at times be difficult to recognize because they may involve subjective issues of organizational relationships and representation. Although not inclusive of all conflicts of interest, the following are the types of conflicts of interest that should be reported *when they are relevant to an Applicable Person's ABP activities*:

##### Category A

Conflicts of interest in this category are those that raise particular concern for the ABP and therefore require a higher level of review before the individual would be permitted to serve the ABP. An initial review will be conducted by the ABP staff and/or the ABP Conflict of Interest Committee. The Executive Committee of the ABP Board of Directors will be asked to review any Category A conflict before the individual is allowed to serve as an appointee of the ABP. It is recognized that approval may be warranted when there are no other practical means to secure appropriate input to ABP activities. Such conflicts of interest are those in which an Applicable Person:



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### Financial Conflicts of Interest

- Is a salaried employee of a for-profit company with relevance to the Applicable Person's ABP activities (e.g., pharmaceutical, biotechnical, medical device/instrument, or educational company).

### Duality of Interest

- Is a salaried executive or elected Board of Directors member of a not-for-profit organization that has a close association with the ABP in which there is a real or perceived conflict of interest that is difficult if not impossible to manage (e.g., AAP Board of Directors member, AMSPDC President).

**Note:** The potential for a Category A conflict exists predominantly for individuals who are on the ABP Board of Directors, ABP Foundation Board of Directors, and/or Senior Management Team. Manageable Category B dualities of interest are likely for other Applicable Persons.

### Educational Conflict of Interest

- Presents talks or lectures sponsored by a pharmaceutical, biotechnical, or medical device/medical instrument company (or any related or affiliated companies, including foundations or other not-for-profit companies), with or without compensation, in which the speaker relinquishes some control of the content or formatting to the sponsoring company or its affiliate.
  - If the speaker does not control 100% of the content, it is a category A conflict.
  - If the speaker does not control 100% of the formatting, with the exception of slides and formatting required by CME providers, it is a category A conflict.

**Note:** Additional information, including but not limited to a copy of the slides for each sponsored talk and whether each sponsored talk is CME approved, will need to be obtained and reviewed by ABP staff.

- Participates as faculty, planner, author, or editor in educational activities, publications, monographs, or books specifically designed and/or publicized to prepare a candidate or candidates for a certification or maintenance of certification examination (including MOCA-Peds) offered by the ABP or any other ABMS Member Board. Examples of activities that are **NOT permitted for any appointee** include writing for or editing national general pediatric/pediatric subspecialty board review material (such as AAP PREP) or lecturing at regional or national courses intended as board review.
- Participates as a faculty member in local board review, defined as lectures designated as board review or board preparation given to trainees at the same institution as the appointee (specific to appointees on item writing committees and the ABP / ABPF Board of Directors).

**Note:** All Applicable Persons must attest that they will not, during their term volunteering with the ABP and for two years following that term, participate as faculty or planner in educational activities, publications, monographs, or books specifically designed and/or publicized to prepare a candidate or candidates for a certification or maintenance of certification



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examination offered by the ABP.

#### Research Conflict of Interest

- There is no automatic Category A research conflict of interest. However, ABP appointees cannot accept new funding from the ABP Foundation while chairing an ABP committee or subboard.

#### Category B

In addition to the conflicts of interest described in Category A, some conflicts must be disclosed because they may rise to a level of concern that precludes participation in certain activities within the ABP. Even when such conflicts of interest do not rise to that level, they must be disclosed in order for the ABP to appropriately review and manage the conflicts. Such conflicts of interest include those in which an Applicable Person:

#### Financial

- Is a stockholder or investor in or receives royalties from a health care-related field (pharmaceutical, biotechnical, medical device/medical instrument, or commercial diagnostic laboratory company, research/biostatistical consulting firm, informatics/electronic health record company, or for-profit educational company) related to the Applicable Person's ABP activities, with direct holdings or royalties exceeding \$5000. (**Note:** Holdings in a mutual fund in which the individual does not control the investment decisions need not be reported because the inability to control the holdings removes any conflict of interest.)
- Is a consultant for or otherwise receives compensation from a pharmaceutical, biotechnical, medical device/medical instrument company, research/biostatistical consulting firm, informatics/electronic health record company, or for-profit educational company in any amount for activities related to the Applicable Person's ABP activities.
- Has financial interest in a business or entity with which the ABP has or is contemplating a transaction, contract, or similar arrangement.
- Has an immediate family member with any of the conflicts described above in this category.

#### Duality

- Is a salaried executive or elected Board of Directors member of a not-for-profit organization that has a close association with the ABP in which there is a real or perceived conflict of interest that is difficult if not impossible to manage (e.g., AAP Board of Directors member, AMSPDC President).

**Note:** As a Category B duality of interest, this applies to all Applicable Persons other than individuals on the ABP Board of Directors and/or Senior Management Team (for which it is a Category A conflict).

- Is a salaried executive or elected Board of Directors member of a not-for-profit organization that has an association with the ABP in which there is a real or perceived conflict of interest that would be possible to manage (e.g., President of the Board of Directors for the Ronald McDonald House Charities).



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- Is acting as a consultant (without compensation) to a pharmaceutical/biotechnical, medical device/medical instrument, or commercial diagnostic laboratory company, research/biostatistical consulting firm, informatics/electronic health record company, or for-profit educational company with interests relevant to the Applicable Person's ABP activities.
- Is involved in any decisions (e.g., credentialing, awarding grants) related to specific individuals, when the Applicable Person is an employee of the same organization as an individual under consideration, or who has or had in the past a personal relationship or close professional relationship with an individual under consideration.

#### **Educational**

- Is involved in work funded by educational grants when the grants are made to an institution or organization (rather than directly to the individual).
- Is an editor/associate editor of a journal or other publication relevant to the Applicable Person's activities with the ABP.

#### **Research**

- Is a research investigator who receives financial/grant support (including salary support and other expenses) from a pharmaceutical, biotechnical, or medical device/medical instrument company or for-profit educational company.
- Is a research investigator who receives financial/grant support (including salary support and other expenses) from a governmental or not-for-profit foundation, including the ABP Foundation, where the research interests of the Applicable Person are relevant to their ABP activities.
- Is paid travel expenses and/or honoraria for service on a research-related expert panel or advisory board related to the Applicable Person's ABP activities.
- Is consulting on the design of new drugs or devices, clinical trials, or the use of specific agents designed to be used in clinical care.

The list above is not exhaustive. It is the expectation of the ABP that Applicable Persons engaged in any activity or relationship that may reasonably be considered as a conflict of interest err on the side of caution and disclose that relationship to the ABP.

#### **NO DISCLOSURE NECESSARY**

Specific items that typically do not need to be disclosed unless the individual is worried about a conflict in the context of his/her involvement and/or activities with the ABP include:

#### **Financial**

- Participation as an expert witness for legal cases
- Investment in mutual funds, even if the fund contains industry stocks, because the inability to control the holdings removes any conflict of interest

#### **Duality**

- Membership in academic or other not-for-profit organizations (e.g., FAAP, APA, SPR, APS, APPD)



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- Participation in university and/or hospital committees

#### Educational

- Normal activities as an educator, lecturer, or author of general texts, monographs, or journal articles where there is no explicit or implied indication that the material is designed to aid anyone in preparing for or passing a certification or maintenance of certification examination (including MOCA-Peds) offered by the ABP
- Authorship of chapters in online or hard copy textbooks, even if an honorarium is provided
- Ad hoc reviewer for journals
- Participating as a faculty member in local board review, defined as lectures designated as board review or board preparation given to trainees at the same institution as the appointee
  - Does not apply to item writing committees or the ABP / ABPF Board of Directors for which even local board review is a Category A conflict.

#### Research

- Service on a data safety monitoring board, a grant review board, or institutional review board (IRB).

#### DUTY TO DISCLOSE

All Applicable Persons are expected to carefully consider the decisions and influence they have in their role(s) with the ABP and to disclose whether they or their spouses, domestic partners, or other immediate family members have any conflicts of interest. In addition, disclosure should be made whenever the individual believes any relationship creates a conflict of interest.

All Applicable Persons shall complete a Conflict of Interest Declaration Statement before their service to the ABP begins. The duty to disclose remains an ongoing obligation throughout the individual's service to the ABP, so the form must be updated annually and before participation in the next meeting of any committee or activity to which the Applicable Person is assigned. Each Applicable Person is responsible for raising conflicts at relevant times during ABP meetings or activities. If uncertain about conflicts of interest, individuals are urged to seek the advice of the ABP staff member and/or executive responsible for the committee.

Each individual appointed by the ABP to represent the ABP and serve in other organizations on the ABP's behalf shall be subject to this same duty to disclose and shall be responsible for raising conflicts at relevant times during the other organization's meeting or activities.

In addition to annual reporting and routine updating at meetings as described above, members of the ABPF Board of Directors, Research Advisory Committee (RAC), and credentials committees must declare any possible conflicts of interest regarding issues that will be reviewed at upcoming meetings. To facilitate this process, prior to each meeting members will receive information outlining proposals and projects, strategic initiatives, and/or individuals to be reviewed. Members who identify potential conflicts must disclose these prior to the meeting whenever possible.





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#### MANAGEMENT OF CONFLICT OF INTEREST

Many conflicts of interest do not prohibit participation in ABP activities, provided there is an effective management plan to render such conflicts harmless to the functions of the ABP and its responsibilities to the public. Once a determination is made that an individual has a manageable conflict of interest, the ongoing management of conflicts will largely be handled by the chair of the committee or subboard to which the Applicable Person is assigned. Conflicts of those appointed to the ABP Board of Directors will be managed by the chair of the Board of Directors. In the event a chair has a conflict, the chair-elect or other designee will manage such conflicts.

All conflict of interest disposition decisions and management plans must protect the integrity of the ABP and its mission. If a relevant conflict of interest can be managed, the management plan must be in place at the time the Applicable Person begins service to the ABP (or if the Applicable Person is already in service, when the potential conflict is considered and before it is actualized) and must be clear to all involved. Several critical steps are needed to balance these varying interests and maintain the integrity of the ABP certification process and related ABP activities.

1. Senior ABP Staff and, as necessary, members of the Conflict of Interest Committee and the Executive Committee, must determine the significance of any declared conflict of interest and determine whether the Applicable Person can serve as a volunteer at the ABP and, if so, whether the conflict needs to be managed.
2. After this initial review, declared conflicts of interest will be shared with the ABP staff responsible for each committee and listed in the agenda materials for all ABP meetings.
3. The ABP staff member responsible for the committee, along with the Committee chair, must develop and implement the management plan for each relevant conflict of interest before the committee meeting. Options include no, partial, or full recusal from discussion and decision-making.
4. Each meeting will begin with a review and discussion of all conflicts of interest of those participating in the meeting, and the chair and Applicable Persons are responsible for updating any conflicts and reminding other participants of those conflicts at the times of relevant discussions.
5. During the relevant committee meeting, the staff member and the committee chair have flexibility to adapt the management plan as needed. Options include no, partial, or full recusal from discussion and decision-making. The actual management plan implemented during the meeting is reported to the COI staff member of the ABP.
6. Each of the relevant actions and decisions is documented.

**Note:** Refer to procedure document for details on the management of COI.

If a conflict of interest is such that it cannot be managed in a way that will render the conflict harmless to the ABP and its obligations to the public, an individual will be precluded from substantive participation in all ABP activities relevant to the conflict. If the conflict of interest arises while an Applicable Person is serving the ABP and the conflict cannot be managed, then it will be necessary to suspend the relationship of the individual with ABP activities related to the conflict of interest.

For ABPF-funded project review, all conflict of interest declarations will be reviewed by the ABP



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Senior Management Lead for the RAC and the ABPF Board of Directors, the ABP Senior Management Lead for the COI Committee, and the Chair of the RAC or the ABPF Board of Directors to determine the potential conflict and the appropriate management strategy, which may include no, partial, or full recusal from discussion and decision-making.

Examples of Applicable Persons who require full recusal include the following:

- An individual participating in the project to be reviewed, with a major professional role that contributes to the scientific development or execution of the project in a substantive, measurable way, regardless of compensation. Individuals listed on an application as senior/key personnel, project/site/core directors, other significant contributors, collaborators, and/or consultants are considered to have a major professional role in the project.
- A salaried employee, whether full-time or part-time, in the same organizational component/school of a multi-component institution (such as the components of the University of California) as the Project Lead, or individual negotiating for employment.

Examples of Applicable Persons who may not require full recusal include the following:

- Those with past or current collaboration with the Project Lead or other key personnel, but in a different topic area.
- Individuals who conducted prior work on a related project.
- A salaried employee, whether full-time or part-time, in a separate organizational component/school of a multi-component institution that is sufficiently independent that an employee of one component can review an application from another component.

For the credentials committees, the ABP Senior Management Lead for each committee and the committee chair will review the declarations and determine the appropriate management strategy.

Once annually, the COI Committee will review a summary of the annual declarations of conflicts of interest and their management. The chair of the COI Committee and the Senior Staff Member assigned to the COI Committee will provide an annual report regarding the conflicts of interest of Applicable Persons to the ABP Board of Directors and to the ABPF Board of Directors.





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#### American Board of Pediatrics Conflict of Interest Statement

By initialing and signing below in the spaces provided, I acknowledge that I have read and understand the ABP policy statement referring to Conflicts of Interest and I agree to abide by this policy.

I will not use my affiliation with the ABP to advertise or promote activities, programs, or publications unless approved by the ABP.

Please Initial:

\_\_\_\_\_ I agree with the statements above.

Please review the statements below and initial one of the following boxes:

\_\_\_\_\_ I do not have any actual or perceived conflicts of interest.

\_\_\_\_\_ I declare the following actual or perceived conflicts of interest:

Conflicts of Interest		
Financial Conflicts of Interest		
Self	Immediate Family Member	Category A
		Is a salaried employee of a for-profit company with relevance to the Applicable Person's ABP activities (e.g., pharmaceutical, biotechnical, medical device/instrument, or educational company).
Self	Immediate Family Member	Category B
		Is a stockholder or investor in or receives royalties from a health care-related field (pharmaceutical, biotechnical, medical device/medical instrument, or commercial diagnostic laboratory company, research/biostatistical consulting firm, informatics/electronic health record company, or for-profit educational company) related to the appointee's ABP activities, with direct holdings or royalties exceeding \$5000. (Note: Holdings in a mutual fund in which the individual does not control the investment decisions need not be reported because the inability to control the holdings removes any conflict of interest.)
		Is a recipient of compensation from a pharmaceutical, biotechnical, medical device/medical instrument company, research/biostatistical consulting firm, informatics/electronic health record company, or for-profit educational company in any amount for activities related to the appointee's ABP activities.



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		1. Please define the nature of your consulting relationship. 2. List specific pharmaceutical agents and/or devices for which you provide consulting expertise. 3. Do you conceive of any conflict with your role writing questions for the ABP? 4. Might other reasonable persons perceive a potential conflict of interest with your relationship?
		Has financial interest in a business or entity with which the ABP has or is contemplating a transaction, contract, or similar arrangement (typically applies to ABP SMT).
<b>Duality Conflicts of Interest</b>		
<b>Self</b>	<b>Immediate Family Member</b>	<b>Category A / B Depending on Role with the ABP</b>
		Is a salaried executive or elected Board of Directors member of a not-for-profit organization that has a close association with the ABP in which there is a real or perceived conflict of interest that is difficult if not impossible to manage (e.g., AAP Board of Directors member, AMSPDC President).
<b>Self</b>	<b>Immediate Family Member</b>	<b>Category B</b>
		Is a salaried executive or elected Board of Directors member of a not-for-profit organization that has an association with the ABP in which there is a real or perceived conflict of interest that would be possible to manage (e.g., President of the Board of Directors for the Ronald McDonald House Charities).
		Is acting as a consultant (with or without compensation) to a pharmaceutical/biotechnical, medical device/medical instrument, or commercial diagnostic laboratory company, research/biostatistical consulting firm, informatics/electronic health record company, or for-profit educational company with interests relevant to the appointee's ABP activities.
		Is involved in any decisions (e.g., credentialing, awarding grants) related to specific individuals, when the Applicable Person is an employee of the same organization as an individual under consideration, or who has or had in the past a personal relationship or close professional relationship with an individual under consideration.
<b>Educational Conflicts of Interest</b>		
<b>Self</b>	<b>Immediate Family Member</b>	<b>Category A</b>
		<b>SPONSORED TALKS</b> Present talks or lectures sponsored by a pharmaceutical, biotechnical, or medical device/medical instrument company (or any related or affiliated companies, including foundations or other not-for-profit companies), with or without compensation, in which the speaker relinquishes some control of the content or formatting to the sponsoring company. If the speaker does not control 100% of the content, formatting, and display, it is a category A conflict.



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		If this box is checked, ABP staff will reach out with additional questions in addition to requesting a copy of all sponsored talks.
		<p align="center"><b>BOARD REVIEW</b></p> <p>Participates as faculty, planner, author, or editor in educational activities, publications, monographs, or books specifically designed and/or publicized to prepare a candidate or candidates for a certification or maintenance of certification examination (including MOCA-Peds) offered by the ABP or any other ABMS Member Board. Examples of activities that are <u>NOT permitted for any appointee</u> include writing for or editing national general pediatric/pediatric subspecialty board review material (such as AAP PREP) or lecturing at regional or national courses intended as board review.</p>
		<p align="center"><b>LOCAL BOARD REVIEW</b></p> <p>Participates as a faculty member in local board review, defined as lectures designated as board review or board preparation given to trainees at the same institution as the appointee (specific to appointees on item writing committees and the ABP / ABPF Board of Directors).</p>
<b>Self</b>	<b>Immediate Family Member</b>	<b>Category B</b>
		Is involved in work funded by educational grants, when the grants are made to an institution or organization (rather than directly to the individual).
		Is an editor/associate editor of a journal relevant to the appointee's activities with the ABP.
<b>Research Conflicts of Interest</b>		
For research on pharmaceutical agents and medical devices, please provide the name of the company, the name of the drug(s)/device(s), and if the drug(s)/device(s) is FDA approved.		
<b>Self</b>	<b>Immediate Family Member</b>	<b>Category B</b>
		A research investigator who receives financial/grant support (including salary support and other expenses) from a pharmaceutical, biotechnical, or medical device/medical instrument company or for-profit educational company.
		A research investigator who receives financial/grant support (including salary support and other expenses) from a governmental or not-for-profit foundation, including the ABP Foundation, where the research interests of the individual are relevant to the appointee's ABP activities.
		Is paid travel expenses and/or honoraria for service on a research-related expert panel or advisory board related to the appointee's ABP activities.
		Consults on the design of new drugs or devices, clinical trials, or the use of specific agents designed to be used in clinical care.



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*Please disclose and explain below any additional relationships or circumstances that may be perceived as a conflict of interest.*

I attest that the above declarations are true and accurate to the best of my knowledge, and I agree to abide by the ABP Conflict of Interest Policy as set forth in the ABP Conflict of Interest Policy Statement.

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**Signature**

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**Date**

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Please print your name on this line.