



ABP Corporate Policy

Conflict of Interest Statement of Policy

This policy applies to Directors, Officers, Committee and Subboard Appointees, Senior and other Key Staff Members, Consultants, and Key Agents of the American Board of Pediatrics (ABP), as well as the American Board of Pediatrics Foundation (ABPF) and affiliated or related entities (hereinafter referred to as the “ABP” in this policy statement). 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.”

BACKGROUND

The mission of the ABP is directed to the public interest – to promote excellence in medical care for children and adolescents by certifying pediatricians and pediatric subspecialists based on a standard of excellence and the highest level of professionalism in patient care. It is critical that the certification process and related activities of the ABP be influenced by the best science and clinical practice.

A conflict of interest or potential 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.

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 or to the gain or advantage of others associated with such interest. Conflicts of interest may be of several types, including financial, dualities, and educational. Among these, financial conflicts of interest are often of most concern to the public. A financial conflict of interest occurs when any Applicable Person has a financial interest in an issue under discussion or when such an interest resides in a close family member. A duality of interest occurs when an Applicable Person has a competing obligation with another entity that does not involve a personal or proprietary interest. For example, serving as a voluntary member or paid staff of another organization may constitute a duality of interest. Educational conflicts of interest arise when an individual engages in educational activities that interfere or appear to interfere with the fairness and accuracy of the certification or maintenance of certification processes. Conflicts of interest may also arise in the course of committee meetings for which topics of discussion are determined shortly before the meeting, such as review of research/evaluation projects and strategic initiatives under consideration for funding by ABP/ABPF, and during the work of the several Credentials committees of the ABP. For simplicity, all of these potential and actual conflicts and dualities of interest will hereinafter be referred to as “conflicts of interest” or “conflicts.”

Conflicts of interest are undesirable because they may cause the appearance or the actual effect of placing the interest of others ahead of the integrity of the ABP and thus interfere with the ability to carry out the ABP’s obligations to the public. Conflicts of interest may reflect adversely upon the persons involved and upon the institutions with which they are affiliated, regardless of the actual facts or motivation of the parties involved.



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However, the Applicable Persons identified in paragraph one are typically experts and leaders in their fields of research or clinical practice. As a result, many of them will have conflicts of interest requiring management.

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. Several critical steps are needed to balance these varying interests and maintain the integrity of the ABP certification process and related ABP activities.

First, each person being considered for the positions described in paragraph one that would make him/her an Applicable Person must declare all relevant conflicts of interest in detail sufficient to enable adequate review. Second, 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 conflict can be managed. Third, a disposition or plan of management must be made for each relevant conflict of interest that will protect the integrity of the ABP and its missions. Finally, each of these actions and decisions must be documented.

If the 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 a relevant conflict of interest can be managed, the management plan must be in place at the time of the Applicable Person begins service to the ABP. This plan must be clear to the Applicable Person, the Chair of the relevant Subboard or Committee, and the Board of Directors, with appropriate documentation provided. 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.

FINANCIAL, DUALITY, AND EDUCATIONAL CONFLICTS OF INTEREST

Conflicts of interest (whether financial, duality, or educational 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 the appointee's ABP activities*:

Category A

Conflicts of interest in this category are those that raise particular concern to the ABP and therefore require a higher level of review, specifically review and approval by the Executive Committee, before the individual would be permitted to serve 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:

1. Participates on a speakers bureau or receives direct compensation (including for travel) for talks or lectures sponsored by a pharmaceutical, biotechnical, or medical device/medical instrument company (or any related or affiliated companies, including foundations or other non-profit companies) relevant to the appointee's ABP activities.
2. Is a salaried employee of a pharmaceutical, biotechnology, medical device/medical instrument, commercial diagnostic laboratory company, research/biostatistical consulting



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firm, informatics/electronic health record company, or for-profit educational company with relevance to the appointee's ABP activities.

3. Is a salaried or elected leader of an organization that has an association with the ABP in which there is a real or perceived conflict of interest that is difficult if not impossible to manage.
4. Has a spouse, domestic partner, or close family member with any of the conflicts described above in this Category.
5. Is in violation of ABP policies related to educational conflicts of interest.

Regarding educational conflicts of interest, it is the responsibility of each Applicable Person to identify sources of conflicts that may arise from participation in educational activities (such as a course or publication) that prepare individuals for ABP certification or maintenance of certification examinations. The following guidelines do not extend to an individual's 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 a candidate in passing an examination offered by the ABP:

- a. Members of the Board of Directors of the ABP attest that they will not, during their term as Director and for one year 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 examination offered by the ABP.
- b. Test committee appointees and medical editors for examinations for certification in general pediatrics attest that they will not, during their time of participation in these ABP activities and for one year thereafter, participate as faculty or planner in educational activities, publications, monographs, or books specifically designed and/or publicized to prepare candidates for the general pediatrics certification examination.
- c. Test committee appointees and medical editors for examinations for maintenance of certification in general pediatrics attest that they will not, during their time of participation in these ABP activities and for one year thereafter, participate as faculty or planner in educational activities, publications, monographs, or books specifically designed and/or publicized to prepare candidates for the general pediatrics maintenance of certification examination.
- d. Subboard appointees and subspecialty medical editors attest that they will not, during their time of participation in these ABP activities and for one year thereafter, participate as faculty or planner in educational activities, publications, monographs, or books specifically designed and/or publicized to prepare candidates to pass their subboard's examination for certification or maintenance of certification examinations.
- e. An Applicable Person may not allow use of his/her ABP affiliation for advertising or promoting any particular educational program or publication.

Category B

In addition to the conflicts of interest described in Category A, there are conflicts that need to be disclosed because they may rise to a level of concern that precludes participation in ABP activities. 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 individual:



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1. Is an editor/associate editor of a journal relevant to the appointee's activities in the ABP.
2. Has affiliations with an organization/society associated with the ABP.
3. Is acting as a consultant (with or without compensation) to a pharmaceutical/biotechnical, medical device/medical instrument, 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.
4. Is a research investigator who receives financial/grant support from a pharmaceutical, biotechnical, or medical device/medical instrument company or for-profit educational company with interests relevant to the appointee's ABP activities.
5. Is a stockholder or investor in or receives royalties from a health care-related field (pharmaceutical, biotechnical, medical device/medical instrument, 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.*)
6. 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.
7. Has financial interest in a business or entity with which the ABP has or is contemplating a transaction, contract, or similar arrangement.
8. Is engaged in any activity or relationship that may reasonably be considered as a conflict of interest.
9. Is involved in the review process for specific research/evaluation or strategic initiatives, when an Applicable Person may realize some gain or loss associated with a proposal or project. Such gain or loss usually falls into the categories of reputational, financial, or intellectual. Some Applicable persons may have specialized expertise/ interest in an area but have no potential gain or loss associated with a proposal or project.
10. Is involved in credentialing decisions related to specific individuals, when the Applicable Person is an employee of the same institution or department 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.
11. Has a spouse, domestic partner, or close family member with any of the conflicts described above in this Category.

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 close family members have any conflicts of interest. The term "close family member" generally means an individual within a first degree of legal relationship, but disclosure should be made whenever the individual believes the 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



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individual's service to the ABP, so the form must be updated annually and within 60 days of any change in relevant conflicts and before participation in the next meeting of any committee or activity to which the Applicable Person is assigned, if that occurs prior to the 60-day period. 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 President and CEO (or designee) of the ABP.

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 ABP Foundation Board of Directors, Research Advisory Committee, 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.

MANAGEMENT OF CONFLICT OF INTEREST

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 Appointees to the 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.

For ABPF-funded project review, all declarations will be reviewed by the ABP Senior Management Lead for RAC and the ABPF BOD, the ABP Senior Management Lead for the COI Committee, and the Chair of the RAC or the ABPF BOD 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:

- a. 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 consultants are considered to have a major professional role in the project.
- b. 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:



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- a. Those with past or current collaboration with the Project Lead or other key personnel, but in a different topic area.
- b. Individuals who conducted prior work on a related project.
- c. A salaried employee, whether full-time or part-time, in a separate organizational component/school of a multi-component institution (such as the components of the University of California) 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.

Declared conflicts of interest will be listed in the agenda materials for all ABP meetings. 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. The ABP minutes or other written records of the proceedings shall document any conflict of interest and how it is managed.

Once annually, the Conflict of Interest Committee will review a summary of the annual declarations of conflicts of interest and their management. The Chair of the Conflict of Interest Committee and the Senior Staff Member assigned to the Conflict of Interest 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.

Policy Adopted Date:

Last Non-Contextual Revised: 09/19

Last Revision Approved by the Board of Directors/Executive Committee: 10/17



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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 these policies.

Please Initial:

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

_____ I declare the following actual or perceived conflicts of interest:

Self	Spouse or Domestic Partner	Family Member	Conflicts of Interest
			Participant on a speakers bureau or receive direct compensation (including for travel) for talks or lectures sponsored by a pharmaceutical, biotechnical, or medical device/ instrument company (or any related or affiliated companies, including foundations or other non-profit companies) relevant to my ABP activities.
			Salaried employee (or owner) of a pharmaceutical, biotechnology, medical device/ instrument commercial diagnostic laboratory company, research/biostatistical consulting firm, informatics/electronic health record company, or for-profit educational company with interests relevant to my ABP activities.
			Salaried or elected leader of an organization that has an association with ABP in which there is a real or perceived conflict of interest.
			Participant in educational activities (such as a course or publication) specifically designed and/or publicized to prepare individuals for ABP certification or maintenance of certification examinations. This does not include an individual's 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 a candidate in passing an examination offered by the ABP.
			Editor/Associate Editor of a journal relevant to my ABP activities.



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		Consultant (with or without compensation) to a pharmaceutical, biotechnical, medical device/instrument, commercial diagnostic laboratory company, research/ biostatistical consulting firm, informatics/electronic health record company, or for-profit educational company with interests relevant to my ABP activities. Please list specific drugs that are FDA approved.
		Research investigator receiving financial/grant support from a pharmaceutical, biotechnical, or medical device/instrument company or for-profit educational company with interests relevant to my ABP activities. Please list drugs you are studying that are FDA approved.
		Stockholder or investor in or receives royalties from a health care-related field (pharmaceutical, biotechnology, medical device/instrument, commercial diagnostic laboratory company, research/biostatistical consulting firm, informatics/ electronic health record company, or for-profit educational company) relevant to my ABP activities with direct holdings or royalties greater than \$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.)
		Financial interest in any entity or individual with which ABP has or is negotiating a transaction, contract or similar arrangement.
		Other interests or activities that may pose a conflict of interest.

Please disclose and explain below any other 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 ABP Conflict of Interest Policy Statement.

Signature **Date**

 Please print your name on this line.