

Faculty/Academic Staff Conflict of Interest

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Complete Your 2015 Conflict of Interest
Disclosure and Training Now!

<http://coi.msu.edu/>

In a Nutshell:

- **Who:** All faculty and academic staff
- **What:** Must complete an Annual Disclosure of Significant Financial Interests
- **When:** January 1, 2015
- **Where:** <http://coi.msu.edu/>
- **Why:** MSU's Faculty/Academic Staff Conflict of Interest Policy, as approved by the Board of Trustees, requires that, **beginning January 1, 2015, all MSU faculty and academic staff submit an annual disclosure** of all significant financial interests related to their MSU responsibilities.
- **How:** <http://coi.msu.edu/how-to-disclose>

What is a Financial Conflict of Interest?

- **Financial Conflict of Interest (FCOI):** Situation where a person has a Significant Financial Interest that could directly and significantly affect the **design, conduct, or reporting of research**
- Faculty members must annually disclose all significant financial interests and **other opportunities for tangible personal benefit** that are related to the faculty member's institutional responsibilities.

Why are we concerned about COI?

- We must maintain the **trust** of the general public which supports us and which we serve.
- We must promote objectivity in research and scholarship.
- An unmanaged conflict of interest can undermine confidence in the University and, thus, harm its standing and that of its entire faculty.
- An investigator's interest could lead others to question their professional motives.
- Federal and state requirements mandate that financial conflict of interest policies and procedures be in place.

What is a significant financial interest (SFI)?

- Financial interests consisting of one or more of various types of financial interests that, when aggregated over the previous calendar year, exceeds \$5,000, or...
- If the value is not evident (as with equity interest in a non-publicly traded entity, or travel that was paid on behalf of the investigator), then it must be considered an SFI.
 - Not only your own personal interests, but also financial interests held with or by your immediate **family** (spouse, domestic partner, dependent children, and other dependents) and with or by any legal entity that you or your family owns or controls.

Examples of Significant Financial Interests

- **Income** or payments of any kind totaling more than **\$5,000** over the last calendar year from a single entity;
- **Ownership** greater than 1% of a single outside entity or ownership interests greater than \$5,000 (e.g., stock);
- **Intellectual property** rights or licenses with an established fair market value exceeding \$5000 or which generate income of any value from other than MSU (including royalties from other domestic universities);
- **Unvalued options** for stock or ownership of any value in a private company;
- Serving on a **governing or advisory board**, or in a **fiduciary or managerial role**, or as a general partner with or without pay

Exceptions

- SFIs **unrelated** to your MSU Institutional Responsibilities;
- **MSU salary**, remuneration by MSU, or other payments at MSU's behest (including from an MSU-approved practice plan);
- SFIs from seminars, lectures, teaching engagements, or service on advisory committees or review panels **paid by domestic (U.S.):**
 - Federal, state, or local government agencies;
 - Institutions of higher education;
 - Academic teaching hospitals and medical centers; or
 - Research institutes affiliated with an institution of higher education.
 - (You do have to report nonprofits and foreign institutions)

Who manages COIs?

- The Conflict Review Committee (CRC)
 - Composed of at least five faculty members from different disciplines
 - Convenes ~ every 2 months
- The Conflict of Interest Office is managed by the Financial Conflict of Interest Officer (FCOIO)
 - Development of policies and procedures related to the identification and disclosure of significant financial interests,
 - Initial determination of potential conflicts of interest
 - Non-voting member of CRC

What happens if a COI is identified?

- The FCOIO, with the VPRGS and/or the CRC make a determination of appropriate action.
- **Conflict Management Plan (CMP):**
 - An agreement that sets out limits and restrictions on the investigator for the purpose of reducing or eliminating a conflict of interest, and to ensure that the design, conduct, and reporting of research will be free from bias.
 - May include:
 - public disclosure when presenting or publishing
 - Appointment of independent monitor
 - Meeting with chair and/or dean
 - Reduction or elimination of interest
 - Reporting to funding agency

Current MSU Policy

- NSF & PHS Investigators must annually disclose all personal Significant Financial Interests that are related to their institutional responsibilities.
- Investigators must also submit an updated disclosure within thirty days of acquiring any new significant financial interest or other opportunity for tangible personal benefit.
- Non-NSF/PHS: All related significant financial interests must be disclosed by investigators when a proposal is submitted

MSU Policy, January 1, 2015

- **All MSU faculty and academic staff** must submit an annual disclosure of all significant financial interests related to their MSU responsibilities.
- Disclosures must be updated within 30 days of acquiring or discovering any new significant financial interest.
- **The MSU policy applies to everyone who is:**
 - appointed through the academic personnel system with research, teaching, outreach, or service responsibilities:

MI Contracts of Public Servants with Public Entities Law

- Contract terms must be submitted to the Board of Trustees for review and approval when a contract is with:
 - an **employee** of the University;
 - any **partnership** or unincorporated association of which the employee is a partner, member, or employee;
 - any private **corporation** of which the employee is
 - a director, officer, or employee; or
 - a stockholder
 - any trust of which the employee is a beneficiary or trustee.

MI Contracts of Public Servants with Public Entities Law:

- Only the University President and specific authorized individuals may execute contracts on behalf of MSU.
- Conflicting interests created by the contract must be managed as a prerequisite for the Provost to recommend the contract terms to the Board for consideration.
- Law requires that the employee's interest in a contract be disclosed to the Board of Trustees (BOT), and then the terms of the contract voted for approval at another meeting.
 - Time must be allowed for review of possible conflict of interest, development and approval of a conflict management plan, and submission to the Office of General Counsel for inclusion on the Board agenda. <http://trustees.msu.edu/meetings/>.

MI Contracts of Public Servants with Public Entities Law

- Examples:
 - Purchase of goods or services
 - Licensing agreements involving intellectual property rights
 - Lease agreements for land or space use
 - Sponsored Projects funded by Small Businesses
 - Sponsored Project subcontracts to Small Businesses
 - Use of MSU facilities for private purposes

Need help completing your disclosure or have other questions?

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