

**UNIVERSITY OF LOUISIANA AT MONROE
POLICIES AND PROCEDURES MEMORANDUM**

<i>Title:</i>	FINANCIAL CONFLICT OF INTEREST FOR NSF-, NIH-, AND PHS-SPONSORED PROJECTS
<i>Effective Date:</i>	8/24/12
<i>Update Responsibility:</i>	Academic Affairs
<i>Revision Date:</i>	None
<i>Cancellation Date:</i>	None

1. PURPOSE/PREAMBLE

The purpose of this interim policy for Financial Conflict of Interest for NSF-, NIH-, and PHS-sponsored projects is to ensure that all individuals affiliated with the University of Louisiana at Monroe (ULM), participating in research activities funded by the National Science Foundation (NSF) or Public Health Service (PHS includes NIH, the Centers for Disease Control and Prevention, and other agencies), are familiar and comply with the federal regulations on Objectivity in Research, and that ULM meets all requirements to ensure its continued eligibility to receive grants and contracts from these agencies. Failure to comply with this policy can jeopardize continued or future funding from these agencies.

ULM shall adhere to the standards and procedures set forth in this policy in monitoring significant financial interests and managing disclosed financial conflicts of interest for investigators who propose or receive funding from the NIH, the NSF or the PHS, in order to comply with federal regulations.

ULM employees can be subject to the disciplinary process of the University if they fail to fully and truthfully disclose financial conflict of interest situations or fail to comply with any stipulated plan for managing the disclosed conflict.

2. BACKGROUND

The NIH, NSF and PHS have issued regulations on Financial Conflict of Interest (FCOI) as related to research funded by these agencies. ULM recognizes that scholars and other staff engage in many relationships with outside entities, some of which might create a financial conflict of interest, or the appearance of a conflict of interest. These conflicts are increasingly common and sometimes unavoidable in a modern research setting. For example, an investigator, through federal grants, may develop a methodology, which could be commercialized in the private sector.

If the investigator has a financial interest in a small business in order to bring such a methodology to market, the relationship between the individual and the small business could be the source of potential conflicts of interest.

ULM, therefore, recognizes its obligation to ensure that research and other scholarly activities are carried out under the highest standards of integrity and ethical conduct. This policy serves to protect the interests of the scholarly community of the University by advancing an important goal: defense of the integrity and objectivity of the research carried out by our researchers.

This policy describes a disclosure process separate from annual certifications submitted to other University units. Investigators who are required to make a disclosure under this policy may or may not also be required to disclose financial interests on other required forms and procedures. Individuals may consult with their unit supervisor or the Office of Sponsored Programs and Research (OSPR) for more information.

FINANCIAL CONFLICT OF INTEREST FOR

- a. When they submit a proposal for funding;
- b. When they receive an award;
- c. Annually during the term of the award; and
- d. Within 30 days of discovering or acquiring a new SFI.

Investigators will complete training prior to engaging in research related to any NIH-, NSF-, or PHS-funded grant and at least every four years thereafter. Investigators who bring an NIH, NSF, or PHS grant with them to the University as new employees will complete training within 30 days upon being hired. Investigators will complete new training whenever this policy or related procedures are revised. If a conflict is found to exist, investigators are responsible for complying with the terms of an institutional FCOI management plan. Investigators will complete additional training whenever the investigator is found not to be in compliance with either this policy or a management plan created to manage a disclosed FCOI.

Office of Sponsored Programs and Research will

- a. provide training in financial conflict of interest to university community and will inform all investigators of their responsibility to complete training on this policy, their obligation to disclose SFIs, and of the content of NIH, NSF, and PHS regulations regarding financial conflict of interest.
- b. maintain records of the disclosure process for investigators applying to, and all university investigators receiving awards from, NIH, NSF, or PHS.
- c.

to the collection and/or the reporting of biased data. The review will be conducted within 30 days of the discovery. If an FCOI is suspected, an *ad hoc* committee will be convened, as above, to make a determination of FCOI, and to investigate whether or not there was bias involved in the collection and/or reporting of data. The investigation will include interviews with relevant personnel, reviews of lab notebooks or raw data, if applicable, and any publications resulting from the research.

The *ad hoc* committee will proceed with development of a management plan for the new FCOI, which will include a mitigation plan to address the impact of the bias on the research.

7. REPORTING REQUIREMENTS/COMPLIANCE

A. Reporting of FCOI to sponsor

OSPR will report any disclosed FCOIs to the appropriate funding agency as required by regulations, namely, prior to the expenditure of funds, within 60 days of the identification of an investigator who is newly participating in the project, or within 60 days for new, or newly identified FCOIs for existing investigators. OSPR will also report at least annually, at the same time as when ULM is required to submit the annual progress report, multi-year progress report, if applicable, or at the time of no-costs extension, to provide the status of the FCOI and any changes to the management plan, if applicable, until the completion of the project. OSPR will report to the appropriate funding agency following a retrospective review to update a previously submitted report, as appropriate.

The elements that will be included in any FCOI report are:

- a. project number,
- b. project title,
- c. PI name,
- d. the name of the investigator with the FCOI, title, role on the project,
- e. the name of the entity in which the SFI is held,
- f. the nature of the SFI (equity, consulting fee, travel reimbursement, honorarium),
- g. the approximate dollar value of the SFI or a statement that the SFI is one whose value cannot be readily determined through reference to public prices or other reasonable measures of fair market value,
- h. a description of how the SFI relates to the research and the basis for the determination that the SFI conflicts with the research, and
- i. a description of the key elements of the management plan, including:
 - i. role and principal duties of the conflicted investigator in the research project;
 - ii. conditions of the management plan,
 - iii. how the management plan is designed to safeguard objectivity in the research project;
 - iv. confirmation

v.

Identified FCOIs held by senior/key personnel, will be made publicly available on the external OSPR website, at <http://ulm.edu/research/fcoi.html>. Postings of identified FCOIs will include the following

SFI is held, the nature of the SFI, and the approximate dollar value of the SFI, within these ranges; \$0 - \$4999, \$5000 - \$9999, \$10,000 - \$19,999, \$20,000 - \$39,999, \$40,000 - \$59,999, \$60,000 - \$79,999, \$80,000 - \$99,999, \$100,000 - \$149,999, \$150,000 - \$200,000, and greater than \$200,000. If the interest is one whose value cannot be readily determined through reference to public prices or other reasonable measures of fair market value, then that will be so noted.

Postings of identified FCOIs will be updated annually, and/or within 60 days of a newly identified FCOI. Postings will remain available for three years from the date of the most recent update.

Policy References: