Title: Conflict of Interest

Type: Compliance

Number: RENOWN.CCD.500

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Scope:
Accountable Care Organization, Administrative & Business Offices, Ambulatory, Behavioral Health, Breast Health Center, Center for Advanced Medicine B, Center for Advanced Medicine C, Foundation, Healthcare Center, Home Health, Hometown Health, Hospice, Hyperbaric, Laboratory, Medical Group, Monaco Ridge, Pregnancy Center, Regional Medical Center, Rehabilitation Hospital, Skilled Nursing, South Meadows Medical Center, Surgical Arts, Therapies, Urgent Care, Wound Care, X-ray & Imaging

Policy Statement:
Because conflict of interest situations create the risk of undue influence on purchasing and business planning decisions for the organization, and on decisions relating to the diagnosis and/or treatment of patients, it is the policy of Renown Health System ("Renown Health") that individuals involved in these decisions make reasonable efforts to avoid the occurrence of conflict of interest situations, and that such situations be fully disclosed and appropriately evaluated and managed before individuals participate in a related decision making process.

Definition of Terms:

1. Responsible Person:
   An individual who has the ability to influence and/or authority to make decisions with respect to or influence: (1) the diagnosis and/or treatment of Renown Health patients; or (2) the purchasing, or business planning decisions of the organization, or parts thereof, either through membership on a Committee or individually, and has an obligation to act in the best interests of Renown Health. This includes individuals who request a product/device/medication to a purchasing committee.

   This includes employees who are paid to represent the interests of Renown Health and non-employees, such as Medical Staff members who make decisions on the items and/or services provided to any Renown Health patients, or participate in management and other decision-making in support of Renown Health.
2. Committees, Subgroups, or Ad-Hoc Groups:

Committee or Subgroups that make purchasing, and/or business planning decisions include, but are not limited to:

a. Value Analysis Committee, or any other Committee where a purchasing decision is made: Product Evaluation Committee, OR Products Committee, Shared Services Work Group and Capital Committee;
b. IT Steering Committee;
c. Hospital’s’ (Regional and South Meadows) Pharmacy and Therapeutics Committee;
d. Hometown Health Pharmacy and Therapeutics Committee;
e. Any individual or group of individuals involved in a purchasing, strategy, or business planning recommendation or decision;
f. Any group formed on an ad-hoc basis to make one or more decisions regarding purchasing, strategy, or business planning.

3. Immediate Family:
Spouse, children, parents, siblings and other dependents of a Responsible Person and anyone sharing the Responsible Person’s home.

4. Interested Third Party:
Any supplier, manufacturer, distributor, provider, customer or other entity who does business, directly or indirectly, with Renown Health, its employees, clinicians, and patients, involving the sale, lease or supply of any items, supplies or services to Renown Health or any of its patients, including the supply or manufacture of drugs and/or medical devices, and who has a financial or personal relationship with a Responsible Person.

5. Vendor:
Any supplier, manufacturer, distributor, provider, competitor or other entity who does business, directly or indirectly, with Renown Health, its employees or clinicians involving the sale, lease or supply of any items, supplies, equipment or services to Renown Health, including the supply of drugs and/or medical devices. A Vendor may or may not be an Interested Third Party (see above).

6. Conflict of Interest:
A Conflict of Interest is a situation that has the potential to negatively influence and/or compromise the decision making ability of a Responsible Person from promoting objectivity of purchasing, business planning and clinical decisions at Renown Health, based on a financial or personal relationship with an Interested Third Party. This may also include the interests of Immediate Family Members as well the personal interest of the Responsible Person.
A Conflict of Interest may exist even if the Responsible Person perceives no potential conflict or believes the relationship with the Interested Third Party will not affect their decision making ability. A Conflict of Interest is evaluated according to a set of factual
circumstances involving risk and not on the character of the individual. The existence of a potential Conflict of Interest does not imply that the Responsible Person is improperly motivated. Although not all-encompassing, the following lists some examples of situations that may lead to potential Conflicts of Interest:

a. Fees for consulting or writing including serving on an advisory panel, including travel, hotel, restaurants, resort fees, etc.;
b. Fees for Speaking Engagements, including speaker training sessions and use of slides created by Interested Third Party for purely promotional purposes;
c. Equity Interests/Stock Options (threshold example $10,000) in a company that does business with Renown Health or provides products or services for Renown Health patients;
d. Have financial interest in a product, medical device or services company whose products they prescribe use or recommend;
e. Return on investments, where physician’s contribution is nothing more than referral stream;
f. Royalty income, from design/development services for medical device companies or the right to receive future royalties under a license, patent, or copyright;
g. Officer, Director or any other fiduciary role, whether or not remuneration is received for such service;
h. Ownership/Partnership/Principal interest in a company that does business with Renown Health or provides products or services for Renown Health patients;
i. Research Grants, including clinical trials for the testing of new compounds and/or devices;
j. Educational Grants including honoraria;
k. Vendor Contributions toward resident education including expensive travel, hotels, meals, and resorts;
l. Employment or independent contractor relationship with a company that does business with Renown Health or provides products or services for Renown Health patients;
m. Intellectual Property Rights, includes patent, trademark, or copyright.;
n. Publisher Royalties or other publisher financial support including membership on an editorial/governing board;
o. Professional Society Board/Committee Membership;
p. Preceptorship/Shadowing Arrangements with an Interested Third Party; and,
q. Acceptance of Company Gifts related to marketing including meals, travel, entertainment and free supplies and devices.

Procedure:

1. Individual Responsible Persons:

A. On an annual basis, every individual Responsible Person shall complete a Conflicts of Interest Disclosure Form, which requires a detailed description of any financial or personal relationship with any Interested Third Party. The Responsible Person must also file a revised Disclosure Form within 30 days of acquiring a new financial or personal relationship with an Interested Third Party.
2. Committee, Subgroup, or Ad-Hoc group:

A. On an annual basis, every member of a Committee, Subgroup, or Ad-Hoc Group as defined in this Policy shall complete a Conflicts of Interest Disclosure Form which requires a detailed description of any financial or personal relationship with any Interested Third Party. Within a timeframe set forth by the Office of the Chief Medical Officer, the completed Disclosure Form will be submitted, along with any other relevant accompanying documentation, to the Chair of the Committee, Subgroup, or Ad Hoc Group who shall review each Disclosure Form as well as any other supporting documentation. When necessary, Disclosure Forms with supporting documentation will be forwarded to the Renown Health Conflicts of Interest Committee to make a determination on whether any Conflicts of Interest exist.

B. A standing item entitled "Disclosure of Conflicts of Interest" along with the "Definition of Conflicts of Interest" shall be added to and included with all Committee, Subgroup or Ad-Hoc Group Agendas. At the beginning of each meeting, the Chair will ask all Committee members and presenters to disclose any financial or personal relationship with any Interested Third Party whose interests may be affected by decisions made with respect to items on the Agenda.

C. When a Responsible Person who is a member of a Committee has a financial or personal relationship with an Interested Third Party he/she will recuse him/herself from any decision-making process that affects the interests of that Third Party.

D. An individual may request and present a new product/device/drug to a purchasing committee even if there is a disclosed relationship with the Third Party. However, the individual may not participate in, nor be present for, any discussion or vote.

3. Conflict of Interest Reporting:

A. All Medical Staff Leaders shall complete an annual disclosure; all other Medical Staff shall complete a disclosure at Appointment and Reappointment. Employed Renown physicians shall complete an annual disclosure as a Renown employee; such disclosure shall be shared with Hospital Medical Staff Office rather than another completion at Medical Staff Appointment and Re-Appointment. Any Renown Health employee or Medical Staff member who has reason to suspect, or has actual knowledge, that the decisions or judgment of a Responsible Person may be, or are, influenced by a Conflict of Interest must report that suspicion or knowledge either directly to the Compliance Officer, or to his/her manager, Vice President or Department Head/Chair who shall in turn make a report to the Compliance Officer. The Compliance Officer may conduct an investigation into the matter independently and will forward his/her Report to the Conflicts of Interest Committee.
B. The public availability of information on any financial relationships between Vendors and Responsible Person posted on an Internet website or provided by any other source will not limit the responsibility of that Responsible Person to disclose that relationship, as provided in this Policy. Additionally, Vendors are required to disclose any and all financial relationships with Renown Health employees or Medical Staff Members at the time of their contracting for the provision of supplies or services, or immediately upon the establishment of any financial or personal relationship.

4. Procedure for Evaluation and Management of Conflicts of Interest

A. In cases where it is believed that a Conflict of Interest may influence the professional judgment or decisions of the Responsible Person, all disclosure documents will be reviewed by applicable department leaders prior to submission to the Renown Health Conflicts of Interest Committee for a determination on appropriate action. Consultation with the Compliance Officer may also occur when there are questions about how to identify a possible Conflict of Interest or whether a particular set of circumstances could lead to a Conflict of Interest.

B. During its review of any disclosure documents, or Reports made pursuant to Section 3 above, the Conflicts of Interest Committee may require additional information from and/or interview the Responsible Person, who shall be required to comply with all such requests. The Committee may also review other internal documents or records related to the Responsible Person’s practice including requesting a peer review or medical necessity evaluation of items or services ordered or prescribed during the course of his/her practice while the conflict is in existence. The Conflicts of Interest Committee may confer with the Compliance Office or the Office of General Counsel, as it deems necessary or appropriate, for guidance in the identification and/or management of any Conflicts of Interest.

C. Once the Committee has decided upon appropriate action for the management, reduction, or elimination of the Responsible Person’s (or Immediate Family Member’s) Conflicts of Interest, it will notify the Responsible Person of the determination in writing. Copies of the notification will be forwarded to, and maintained in, the Compliance Office, and sent to the Responsible Person’s supervisor and/or other individuals as the facts and circumstances warrant. As necessary, Conflict of Interest resolution plans will be developed, monitored and enforced by the Conflict of Interest Committee. No person who is a party, or a potential party, to a Conflict of Interest may participate in determining the existence of that Conflict of Interest, or in the management, oversight or imposition of sanctions relating to that Conflict of Interest.

5. Complaints by Individuals:

If an individual suspects a potential Conflict of Interest, it should be immediately reported to the Corporate Compliance Officer via the Compliance Hotline at 1-800-
611-5097 or by calling the Compliance Department directly at 775-982-5596.

6. Penalties and Enforcement:

A. The Renown Health Conflicts of Interest Committee has broad authority under this Policy to determine the existence of Conflicts of Interest throughout the organization, to subject such relationships to appropriate management and oversight, and to impose appropriate sanctions if warranted. Management and oversight include the imposition of conditions or restrictions intended to manage, reduce or eliminate Conflicts of Interest.

B. Violation of this Policy will be grounds for disciplinary action as outlined in the RENOWN.HRM.810 Coaching and Corrective Action policy. Persons violating this policy may be subject to disciplinary action up to and including termination of employment.

C. Medical Staff Bylaws will apply in cases of non-employed physicians. Non-employed physicians are required to complete a COI Disclose Form annually or when requested.

D. Sanctions for violation of this Policy may also include cessation of business with a vendor, liability for damages, and/or other appropriate sanctions.

References/Regulations:
- Open Payments, (Physician Payments Sunshine Act)--also known as section 6002 of the Affordable Care Act (ACA) of 2010.
- 42 CFR §§402-403
- RENOWN.CCD.045 Business Courtesies, Gifts and Gratuities

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