

# Responsible Conduct of Research, Scholarship, and Creative Activities

## Conflict of Interest

The Graduate School  
Michigan State University  
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# Objectives

- Define “financial conflict of interest” and give actual or hypothetical examples from your discipline
- Define “conflict of commitment” and give actual or hypothetical examples from your discipline
- Indicate why financial conflicts of interest are not inherently bad
- Describe ways in which conflicts of interest may affect trust in research results, the researcher's reputation, and the university reputation
- Understand ways of disclosing, managing, reducing, or eliminating financial conflicts of interest

## Objectives, *continued*

- Understand the major provisions of MSU's Conflict of Interest Policy
- Identify the office or offices at MSU that handle concerns about conflict of interest

# Quiz

Study the notes version of the conflict of interest presentation, namely the version saved in Adobe/pdf format that includes notes under the slides. Sample question formats are provided below:

- **Multiple-choice:** The basic format of multiple-choice questions is a question followed by five possible answers. Your task is to identify the one best answer. Questions are related to the objectives from the conflict of interest presentation. You will be expected to understand MSU policies and guidelines related to conflict of interest.


## Quiz, *continued*

- **Yes-no:** You will be given a situation involving a faculty member or graduate student. You will be asked (yes-no) if the person is likely to have a financial conflict of interest.
- **True-false:** You will read a statement about conflict of interest that is related to the objectives from the conflict of interest presentation, and to respond by indicating whether the statement is true or false. You will be expected to understand MSU policies and guidelines related to conflict of interest.

# What is Conflict of Interest?

- **Conflict of Interest (COI):** Situation where a person is trusted to act impartially (to make unbiased professional decisions), yet the person has personal interests that could influence or "bias" professional judgments and actions;
- Situation where one's actions and motives may be questioned because of competing interests.

Source: Conflict of Interest – Michigan State University,  
<http://coi.msu.edu/definitions>



Hurst, S.A. & Mauron, A. (2008). A question of method: The ethics of managing conflicts of interest. *EMBO Reports*, 9(2), 119-123, doi:10.1038/sj.embor.2008.4

“ ... conflicts of interest can create an impression of impropriety that, in the long run, might undermine the credibility of an individual or even an entire profession. At a time when policy-makers, politicians and the public increasingly rely on scientific advice about controversial issues—for example, human embryonic stem cells, genetically modified crops or global climate change—conflicts of interest diminish the public's trust in the independence and unbiased judgement [sic] of academic scientists. To maintain trust, researchers must remain visibly trustworthy, which requires a careful and explicit management of conflicts of interest.”



## News: Federal Audit Faults Universities Over Researchers' Financial Conflicts of Interest, *The Chronicle of Higher Education*, 11/19/09

“Universities involved in federally sponsored medical research rarely take steps to investigate, reduce, or eliminate financial conflicts of interest among their scientists, a government audit report said Thursday.

“The report, by the inspector general of the Department of Health and Human Services, is the latest in a series of audits over the years that have criticized both universities and the National Institutes of Health, which distributes \$24-billion a year in research money, as insufficiently attentive to biases affecting the reliability of American medical research.”

URL: [http://chronicle.com/article/Federal-Audit-Faults/49220/?sid=pm&utm\\_source=pm&utm\\_medium=en](http://chronicle.com/article/Federal-Audit-Faults/49220/?sid=pm&utm_source=pm&utm_medium=en)

# Why Do Conflicts of Interest Matter?

- In medical research, education, and practice
  - “... conflicts of interest threaten the integrity of scientific investigations, the objectivity of professional education, the quality of patient care, and the public’s trust in medicine.” *Conflict of Interest in Medical Research, Education, and Practice*,  
<http://www.iom.edu/Reports/2009/Conflict-of-Interest-in-Medical-Research-Education-and-Practice.aspx>
  - Similar concerns exist in other scientific disciplines

# Why Do Conflicts of Interest Matter,

*continued*

- Scientific integrity
  - Conflicts of interest may (but not always) lead to bias that can affect the outcomes of research
  - The scientific record may be distorted
  - People who base decisions on research results may make unwise decisions if those results are inaccurate
- Objectivity in education
  - Faculty/mentor conflicts of interest may lead to presentation of biased information or research approaches to students/trainees

# Why Do Conflicts of Interest Matter, *continued*

- Preserve public trust
  - Faculty members hold positions of trust within the university, scholarly community, and public
  - Unmanaged conflicts of interest erode trust and may contribute to:
    - A lower likelihood that research results will be believed and used
    - Damaged relationships with colleagues
    - Damaged reputations for the investigator and possibly the institution and other researchers
    - Less probability of receiving financial support for research in the future

# Financial Conflicts of Interest

Financial conflicts of interest “are situations that create perceived or actual tensions between personal financial gain and adherence to the fundamental values of honesty, accuracy, efficiency, and objectivity.”

*ORI Introduction to the Responsible Conduct of Research,*  
<http://ori.dhhs.gov/education/products/RCRintro/>

# Financial Conflicts, *continued*

According to federal regulations, financial conflicts of interest may include:

- Salary or other payments for services, such as consulting fees or honoraria
- Equity interests, such as stocks, stock options, or other ownership interests
- Intellectual property rights, such as patents, copyrights, and royalties from such rights

National Institutes of Health

<http://grants.nih.gov/archive/grants/policy/coi/tutorial/fcoi.htm>

Financial Conflicts:

# MSU Financial Conflict of Interest Policy

<http://www.hr.msu.edu/documents/facacadhandbooks/facultyhandbook/facultyCOI.htm>

A conflict of interest exists “when a faculty member’s financial interests or other opportunities for tangible personal benefit may compromise or reasonably appear to compromise, the independence of judgment with which the faculty member performs his/her responsibilities at the University.”

Financial Conflicts:

# MSU Financial Conflict of Interest Policy

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

- Disclosure – a faculty or staff member must disclose a conflict of interest to her/his unit administrator as soon as she/he is aware of the conflict
- Significant financial interest A financial interest consisting of one or more of various types of financial interests that, when aggregated over the previous calendar year, exceeds \$5,000.
- Review, management, and resolution of reported conflicts of interest – the unit administrator must take a leadership role
- Michigan Contracts of Public Servants with Public Entities Law – Board of Trustees approval is required when the financial interest involves an entity owned partly or managed by an MSU employee



## Example: Conflict-of-Interest Concerns Halt NIH Project at Emory U. (10/15/08)

“The National Institutes of Health has stopped a major \$9.3-million, five-year study at Emory University because of concerns over payments made by drug companies to the former chief researcher on the project. The university received funds for the first two years of the project, a study on depression, but the NIH froze the rest of the money for the study ...” The article further explains that the PI for the project failed to disclose nearly \$2M received from pharmaceutical companies between 2000 and 2007.

Monastersky, R. (2008). Conflict-of-Interest Concerns Halt NIH *Chronicle of Higher Education*, <http://chronicle.com/article/Conflict-of-Interest-Concer/1249/>

## Example: *Nature Publishing Group's* Policy for Authors on Competing Financial Interests

“In the interests of transparency and to help readers to form their own judgements of potential bias, Nature journals require the authors of most articles to declare at the end of the manuscript any competing financial interests in relation to the work described.” ... (*policy continues*)

Nature Publishing Group, For Authors and Referees

[http://www.nature.com/authors/editorial\\_policies/competing.html](http://www.nature.com/authors/editorial_policies/competing.html)

# Financial Conflict Situations

- Submitting a proposal, or initiating work without a proposal, to conduct research, testing, or a clinical trial funded by a company or other entity in which the faculty member holds a significant financial interest, or by one of its competitors.
- Serving as an officer or director of, or holding a significant financial interest in, a company or other entity that the faculty member knows, or reasonably should know, supplies goods or services to, leases space or property to, or otherwise enters into agreements with, MSU.
- Evaluating (e.g., tenure or promotion, annual performance, or for internal funding) another MSU faculty member who has a financial interest in a company or other entity, or one of its competitors, in which the faculty member conducting the evaluation also holds a significant financial interest.

# Financial Conflict Situations, *continued*

- Holding supervisory or educational responsibility for graduate students, postdoctoral trainees, or support/academic staff working on a research project that could materially affect a company or other entity in which the faculty member holds a significant financial interest, or one of its competitors.
- Holding supervisory responsibility for, or exercising influence over, the procurement of goods or services, or the lease of space or property, from a company or other entity in which the faculty member holds a significant financial interest.
- Holding supervisory or educational responsibility for a graduate student, postdoctoral trainee, or support/academic staff member employed by a company or other entity in which the faculty member holds a significant financial interest.

# Financial Conflict Situations, *continued*

- Holding supervisory or educational responsibility for a graduate student, postdoctoral researcher, or support/academic staff member being recruited for employment by a company or other entity in which the faculty member holds a significant financial interest.
- Making a professional referral, arising from faculty duties, to a company or other entity in which the faculty member holds a significant financial interest.
- Conducting or having supervisory responsibility for research or other activities at MSU that could materially affect a company or other entity in which the faculty member holds a significant financial interest, or one of its competitors.

# Financial Conflict Situations, *continued*

- Exercising professional influence (e.g., advisory panel, grant or other peer review, testimony, op-ed piece) that could advance or harm the interests of a company or other entity in which the faculty member holds a significant financial interest, or one of its competitors.
- Receiving gifts of goods, property, or services, like airline tickets, resort or hotel accommodations, or other recreational or personal amenities from a company or other entity that could be materially affected by the conduct of the faculty member's teaching, research, or service responsibilities.

# Managing Financial Conflicts

- Focus on maintaining the trust by others that academic and scientific decisions are made responsibly
  - “You do not have to do anything improper to have a conflict of interest; it is strictly situational.” Friedman, Paul J. (1992). The Troublesome Semantics of Conflict of Interest. *Ethics & Behavior*, 2(4), 245-251.
- Presence of conflict of interest does not mean that there has been or will be a misdeed
- Failure to disclose a conflict of interest is a misdeed

# Managing Financial Conflicts: Disclosures

- Multiple disclosures to the institution
  - To Faculty Conflict of Interest Committee
  - To Grants and Contracts
  - To IRB and Data Safety Monitoring Committees
  - To Participants
- Disclosures in publications
- Disclosures in presentations
- Disclosures on web sites
- Disclosures to advisory groups/study sections
- Disclosures to companies, foundations, and associations
- Disclosures to regulatory agencies (e.g., FDA)





## Managing Financial Conflicts:

# Conflicts that Require Reporting

- Any financial or other interest that may affect the way a faculty member performs his/her duties at the University
- Any financial interest that might cause an independent observer to reasonably question whether the faculty member's professional actions or decisions are affected or determined by considerations of personal gain arising from that financial interest

# Managing Financial Conflicts: Assessment

## Assess

- Student, postdoctoral trainee, support/academic staff involvement
- Involvement in research involving human subjects
- Impact on MSU activities
- Impact on an outside entity
- Impact on peer review and professional referrals

## Managing Financial Conflicts:

# Management and Resolution

- **Disclose** – tell someone who can provide advice and supervision, or who has a need to know
- **Manage** – ask objective reviewers to monitor activities, separate responsibilities for financial and research decisions, modify the research plan, appoint another faculty member to supervise trainees
- **Reduce** – make conflicts less severe or troublesome using any of the methods on this slide
- **Eliminate** – decide not to do the research or disqualify a researcher who has a serious conflict of interest

# Conflicts of Commitment

Conflicts of commitment “arise from situations that place competing demands on researchers’ time and loyalties.”

*ORI Introduction to the Responsible Conduct of Research,*  
<http://ori.dhhs.gov/education/products/RCRintro/>

# Conflicts of Commitment, *continued*

## Conflicts of commitment include situations such as:

- Devoting less percent time to a grant-funded project than promised
- Charging two sources of funding for the same time
- Using equipment and supplies funded by a grant for a disallowed purpose
- Accepting other commitments that interfere with responsibilities to a research project, especially in violation of university or funding agency policies

Paraphrased from *ORI Introduction to the Responsible Conduct of Research*,  
<http://ori.dhhs.gov/education/products/RCRintro/>

# Conflicts of Commitment: MSU Policies

- MSU does not have an overall policy about conflict of commitment
- However, these sections of the faculty handbook provide guidance on this topic:
  - Outside Work for Pay  
<http://www.hr.msu.edu/documents/facacadhandbooks/facultyhandbook/outsidework.htm>
  - Conflict Situations  
<http://www.hr.msu.edu/documents/facacadhandbooks/facultyhandbook/conflictsituations.htm>

# Questions about Conflict of Interest

- MSU Faculty Conflict of Interest Policy  
<http://www.hr.msu.edu/documents/facacadhandbooks/facultyhandbook/facultyCOI.htm>
- MSU Faculty Conflict of Interest Handbook  
<https://www.msu.edu/~biomed/COI/COIHandbook.html>
- MSU Conflict of Interest Information Officer

Brian Mattes

105D Olds Hall

Phone 517-884-7000

Email [fcoiio@msu.edu](mailto:fcoiio@msu.edu)

# Sources

- *On Being a Scientist: A Guide to Responsible Conduct in Research*, 3rd edition, 2009, page ix,  
[http://www.nap.edu/catalog.php?record\\_id=12192#toc](http://www.nap.edu/catalog.php?record_id=12192#toc)
- Steneck, N. (2006-HTML Version). *ORI Introduction to the Responsible Conduct of Research*,  
<http://ori.dhhs.gov/education/products/RCRintro/>
- Lo, B., & Field, M. J. (2009). *Conflict of Interest in Medical Research, Education, and Practice*, National Academies Press, [http://books.nap.edu/catalog.php?record\\_id=12598](http://books.nap.edu/catalog.php?record_id=12598)



# Sources

- MSU Faculty Conflict of Interest Policy  
<http://www.hr.msu.edu/documents/facacadhandbooks/facultyhandbook/facultyCOI.htm>
- MSU Faculty Conflict of Interest Website  
<http://coi.msu.edu/>