

UMBC INTERIM POLICY ON INDIVIDUAL FINANCIAL CONFLICTS OF INTEREST IN PHS RESEARCH UMBC # III-1.11.02

I. POLICY STATEMENT

Externally sponsored research is a vital part of UMBC's mission. As this activity grows in sophistication and complexity, it increasingly intersects with entrepreneurial ventures creating the potential for conflicting interests.

II. PURPOSE FOR POLICY

UMBC strives for excellence and academic integrity in its research enterprise while also promoting economic development and corporate interaction consistent with its role as a State university. The pursuit of these activities increases the possibility for situations involving individual conflicts of interest. [Maryland state ethics law](#), [University System of Maryland policy](#) and [Federal regulations](#) require institutions to promote objectivity in research. It is essential for UMBC to adhere to these laws, policies and regulations and address even the perception of conflicts of interest while supporting the university's pursuit of its mission.

A [Conflict of Interest](#) in a research environment arises in a situation in which financial or other personal considerations have the potential to compromise or bias professional judgment and objectivity. An apparent [Conflict of Interest](#) is one in which a reasonable person would think a professional judgment is likely to be compromised. A potential [Conflict of Interest](#) involves a situation which may develop into an actual or significant conflict of interest. [Significant Conflicts of Interest](#), whether actual, apparent or potential, can call into question the integrity of research performed by an individual. For this reason, it is necessary for institutions to adopt policies and procedures that appropriately manage, reduce, or eliminate conflicts.

The purpose of this Interim Policy is to promote objectivity in research by establishing standards that provide a reasonable expectation that the design, conduct, and reporting of [Public Health Service \(PHS\)](#) funded research will be free from bias resulting from individual [Significant Conflicts of Interest](#). This Interim Policy is required in order to incorporate PHS regulatory changes. Research funded by non-PHS entities are still required to follow the [current UMBC conflict of interest policy and procedures](#).

III. APPLICABILITY AND IMPACT STATEMENT

This Interim Policy shall apply to all [Individuals](#), as defined in the procedures. It also applies to [subcontractors and collaborators](#) of UMBC unless such subcontractors and collaborators have their own policies on Conflict of Interest, which are acceptable to UMBC.

IV. CONTACTS

Direct any general questions about this University Policy to the following:

Subject	Contact	Telephone	Email
Policy and Procedure Clarification	Office for Research Protections and Compliance	5-2737	coi@umbc.edu

V. UNIVERSITY POLICY

UMBC Interim Policy and Implementing Procedures. These are created to (i) preserve the public trust and the academic and research integrity of UMBC and its faculty, (ii) support UMBC's research and economic development activities, and (iii) comply with [Maryland State Ethics Law](#), [USM Policy](#), and [federal regulations](#). The Office for Research Administration (ORA) will implement this Interim Policy and [supporting procedures](#) to address situations that involve actual, apparent or potential conflicts of interest with PHS funded research.

This interim policy is predicated on the expectation that [Individuals](#) should conduct their affairs so as to avoid or minimize [Conflicts of Interest](#) and must respond appropriately when conflicts arise. To that end, this policy and associated procedures informs the UMBC community about situations that generate [Significant Conflicts of Interest](#) related to PHS funded research, provides mechanisms for [Individuals](#) and the Institution to manage Conflicts of Interest, and determines situations that are prohibited. Every [Individual](#) has an obligation to become familiar with, and abide by, the provisions of this policy and procedures.

As federal and state policies and regulations may change, federal and state policies and regulations take precedence over this Policy, including the Policy's' procedures and definitions.

General Provisions:

1. All PHS [Investigators](#), as determined by the UMBC Principal Investigator of record are required to [disclose](#) their [Significant Financial Conflict of Interests](#) to the [Institutional Official](#). The [Institutional Official](#) is responsible for the distribution, receipt, processing, review and retention of disclosure forms.
2. The [Institutional Official](#) may, at his/her discretion establish a [Conflict of Interest Committee](#) to assist with the implementation of this Policy.
3. [Conflict of Interest training](#) for individuals engaged in, or planning to engage in, research activities may be required by state or federal regulations. Specific training requirements are defined in the procedures, and will be available on the Office for Research Protections and Compliance [website](#).
4. The [Institutional Official](#) or his/her designee is required to promptly notify constituents, as may be required, when an employee fails to comply with this policy or when a conflict appears to have biased the design, conduct, or reporting of research. In addition, the [Institutional Official](#) shall complete and document [retrospective reviews](#) as required. Some cases of non-compliance may require the university to impose sanctions on an Investigator

because of failure to comply with this Policy, such as suspension of relevant activities, public disclosure, and/or addendums to previously published material.

VI. DEFINITIONS

Terms and definitions describing the implementation of this Policy are found on the Office for Research Protections and Compliance website,
http://www.umbc.edu/research/ORPC/coi_definitions_umbc.html

VII. APPROVAL AND PROCEDURES

- A. The procedures and forms associated with this policy are available on the Office for Research Protections and Compliance website at
http://www.umbc.edu/research/ORPC/coi_overview.html
- B. Approval of Conflict of Interest Management Plans will follow the procedures found on the Office for Research Protections and Compliance website at
http://www.umbc.edu/research/ORPC/coi_overview.html

VIII. DOCUMENTATION:

As defined in Section VII Approval and Procedures.

IX. RESTRICTIONS AND EXCLUSIONS:

As defined above.

X. RELATED ADMINISTRATIVE POLICIES AND PROCEDURES:

[Annotated Code of Maryland – State Government – Title 15. Public Ethics](#)

Faculty Handbook:

[Section 13 Faculty Rights and Responsibilities: General](#)
[Section 14 Faculty Rights and Responsibilities: Instructional](#)
[Section 15 Faculty Rights and Responsibilities: Research](#)

[USM III-1.11](#) - USM Policy on Conflicts of Interest in Research or Development

[USM III-1.10](#) - USM Policy on Misconduct in Scholarly Work

[USM VII-2.10](#) - Policy on Employment of Members of the Same Family (Nepotism) for Classified and Administrative

[USM II-3.10](#) Policy on Professional Commitment of Faculty

UMBC [Conflict of Interest Procedures](#)

[UMBC III-1.10.01](#) - UMBC Policy and Procedures for Handling Allegations of Misconduct in Research and other Scholarly Activities

[UMBC Policy III-1.11.01](#) - UMBC Policy on Individual Conflicts of Interest in Research and Product Development and all previous revisions.

Policy Number: UMBC III-1.11.02

Policy Section: Academic Affairs

Responsible Administrator: Office for Research Protections and Compliance

Responsible Office: Office for Research Protections and Compliance

Approved by President: September 11, 2012

Originally Issued: September 11, 2012

Revision Date(s): _____ (date)