

## AAPA Disclosure and Conflicts of Interest (COI) – Frequently Asked Questions

*Disclosure is the act of making your relationships known, to mitigate the risk of **perceived, potential and real conflicts of interest** to the organization. Here are some helpful guidelines to consider before submitting your disclosure form!*

### Which AAPA volunteers are required to submit disclosure forms?

- All AAPA volunteers – appointed and elected - are required to adhere to [AAPA's Disclosure and Conflict of Interest Policies and Procedures](#).
- This includes submitting a disclosure form:
  1. At the beginning of each leadership year (July 1); and
  2. Updating the form when new relationships that could be perceived, potential and/or real conflicts of interest arise throughout the year.

### Why do I need to submit a disclosure form?

- Volunteer leaders have a fiduciary duty to act in the best interest of AAPA when serving in their official capacity, free from conflicts or competing interests.
- Proactively disclosing key relationships and affiliations allows any perceived, potential, or real conflicts of interest to be identified, mitigated and resolved appropriately.
- AAPA's disclosure procedures are intended to support transparency in all AAPA business dealings for members and other stakeholders.

### What should I disclose?

- Volunteers should disclose all relationships and affiliations that constitute, or may be reasonably perceived as constituting, a personal, professional, or financial interest with potential to conflict or compete with the interests of AAPA.
- Out of an abundance of caution, volunteers are asked to disclose the following relationships on their forms:
  - Current employer(s) (including paid, full-time, part-time, consultant, contract, etc.)
  - Membership and leadership roles with AAPA constituent organization(s)
  - Membership and leadership roles in any other professional association or society.
  - Involvement with local, state, federal, and/or tribal government agencies or organizations, particularly those related to healthcare.
  - Volunteer positions and/or financial interests in healthcare-related organizations or health-care related roles, particularly those that might compete or do business with AAPA.
  - Family member affiliations and/or financial interests in healthcare-related organizations or health-care related roles, particularly those that might compete or do business with AAPA.
  - Affiliation and/or financial interest in any organization or entity known to do business with AAPA (i.e. vendors, suppliers, regulators, etc.)
  - Any compensation received from AAPA, such as honoraria, compensation for lost earnings, contract or consulting fees, etc.

### Does disclosure automatically constitute a Conflict of Interest?

- No. Not all disclosed relationships constitute conflicts of interest and not all conflicts of interest

will be obvious upon submitting the form. Volunteers are asked to be as comprehensive as possible when disclosing relationships to help ensure that AAPA can be proactive in identifying and mitigating perceived, potential, or real conflicts of interest.

### **How does AAPA define Conflicts of Interest?**

- A conflict of interest arises when a volunteer has a financial or other interest, a relationship, or a fiduciary duty that may cause – or be perceived to cause -- *divided loyalty* between the volunteer's obligations to AAPA *and* their other interest(s).
- According to AAPA's policy, Conflicts of Interest tend to fall into one of three categories:
  - *Direct Conflict* - Where AAPA is considering a decision on a transaction or other arrangement in which the personal interests of a volunteer could, in appearance or in fact, be advanced, directly or indirectly; or when the volunteer's interests could reasonably be viewed as affecting his or her objectivity or duty of loyalty to AAPA.
  - *Informational Conflict* - Where AAPA information is provided to a volunteer that could, in appearance or in fact, advance the personal interests of a volunteer or potentially be used to harm AAPA.
  - *General Duty of Confidentiality* - Where confidential or proprietary AAPA information is shared with volunteers; volunteers have an obligation to only use the information for AAPA purposes and to refrain from sharing it.

### **How is a conflict of interest resolved?**

- AAPA's process for evaluating potential conflicts of interest is outlined in the [AAPA's Disclosure and Conflict of Interest Policies and Procedures](#). The AAPA Board of Directors, through its Internal Affairs Committee (IAC), is ultimately responsible for determining how to resolve a conflict.
- The AAPA Board will usually resolve conflicts in one of three ways:
  - Waive the actual, potential or perceived conflict of interest as unlikely to affect the Leader's ability to act in the best interests of AAPA;
  - Determine that the volunteer should recuse themselves from any deliberations related to the specific transaction which gives rise to the actual, potential or perceived conflict of interest.
  - Determine that the volunteer should resign or be removed from their volunteer position because the actual, potential or perceived conflict of interest would prevent them from being able to serve in the best interests of AAPA. PLEASE NOTE: It is very rare for conflicts to need to be resolved in this manner. In most cases simple recusal will suffice.

### **If I hold more than one volunteer position, do I need to submit more than one form?**

- Yes. Volunteers who serve in multiple roles are required to submit a separate form for each position they hold. This ensures complete and accurate information is provided to the IAC when evaluating disclosure forms.

### **Who should I ask if I am unsure about what relationships to disclose?**

- Feel free to contact Governance staff at [governance@aapa.org](mailto:governance@aapa.org) with questions about how to complete the disclosure form.
- You can also select "unsure" on your disclosure form and Governance staff will follow up to collect clarifying information.
- As a general rule, when in doubt – disclose!