

Disclosure and Conflicts of Interest (COI) FAQs

FAQ regarding Conflicts of Interest and why it is important to disclose perceived, potential and real COIs.

Disclosure is the act of making your relationships known, to mitigate the risk of **perceived, potential and real conflicts** of interest to the organization.

Which AAPA volunteers are required to submit disclosures?

- **All** AAPA volunteers – from the survey volunteer pool to the elected board members – are required to adhere to [AAPA's Volunteer Conflict of Interest and Disclosure Policies and Procedures](#). This includes submitting a disclosure annually, as well as when new perceived, potential and real COIs arise during the year. Approximately 450 volunteers submit disclosures each year.

What is the purpose of disclosures?

- The intent is to ensure transparency to members/stakeholders, help volunteers understand the issues surrounding disclosure, and allow any perceived, potential and real COIs to be mitigated appropriately. **The purpose of the disclosure is not punitive**, but to protect both your integrity and the integrity of the organization.

What should I disclose?

- AAPA requires all volunteers – and particularly members of the board – to disclose **all** relationships that could conceivably become **perceived, potential and real conflicts**. The following list is not exhaustive but intended to help you think broadly about the realm of places where **perceived, potential and real conflicts** may exist or arise. Volunteers may be asked to consider additional relationships based on the nature of their work.
- **In an abundance of caution, it is recommended that volunteers disclose the following:**
 - All **employers** (paid, full-time, part-time, contract, etc.);
 - All affiliations with local, state, federal, and tribal government agencies or organizations, **particularly those related to healthcare**;
 - All **membership and leadership positions** in any professional association and society;
 - All **affiliations** with for-profit and nonprofit organizations, including membership and leadership, particularly within the healthcare industry;
 - All other volunteer positions in **healthcare-related organizations or health-care related roles**.

Are conflicts of interest and disclosures the same?

- **No.** A disclosure is purely informational and designed to mitigate any **perceived, potential or real conflict** which exists, or which may arise in the future. A conflict of interest arises when a volunteer has some interest—which may be a financial or other interest—that may be perceived as **divided loyalty** on the part of the individual between obligations to AAPA **and to the individual's personal interests or to the personal interests of a family member or some other organization or cause**.

Three common types of conflicts are:

- **Direct Conflict** - Where the AAPA is considering a decision in which the personal interests of a volunteer could, **in appearance or in fact**, be advanced, **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, they have an obligation to only use the information for AAPA purposes and to refrain from sharing it.

Is a conflict of interest bad? Is a disclosure an admission of guilt?

- **No.** In a robust business environment, which relies on rigorous volunteer efforts, the *potential for perceived, potential and real conflicts* naturally arise. Healthy organizations want leaders that have strong experiences, broad perspectives and many connections throughout their communities. The fact that a relationship merely exists may not be problematic if a perceived, potential or real conflict is identified, mitigated and managed appropriately. A COI becomes “bad”—for lack of a better word—when the volunteer hides the relationship; fails to mitigate perceived, potential and real conflicts; or uses relationships for personal gain or to advance the objectives of another organization or cause.

Why do I need to disclose my relationships, if they do not represent a conflict of interest?

- In addition to protecting against real conflicts, disclosure guards against the *perception of conflicts*.
- By disclosing relationships at the start of each leadership year (and keeping the list current as your relationships change) the organization can take a proactive measure to protect you and the organization against issues that may arise.
- In a fast-paced and multi-faceted business environment, developments can happen quickly, which makes for a wide variety of perceived, potential and real conflicts. Disclosing your relationships—even if not a real conflict in the current environment—protects you and the organization in the event a perceived, potential or real conflict arises in the future. Disclosure demonstrates the intent of the volunteer to be transparent and allows leadership and staff to work quickly to assess the situation and take appropriate mitigating action, if needed.
- Perceived conflict is often the greatest risk. This is particularly true for members of the board whose decision-making is closely scrutinized. The simple act of disclosing your relationships demonstrates understanding of your obligations, adherence to appropriate policy and procedure, and protects you and the organization from unforeseen and undue accusations of wrongdoing.

How is conflict mitigated?

- Disclosure is the first – and a powerful – means to mitigate all perceived, potential and real conflicts. It demonstrates organizational transparency, your understanding of the appropriate policies and procedures, and your intent conduct your work openly and fairly. Often disclosure is the only required action in mitigating a potential or perceived conflict.
- Other ways conflict is mitigated are through recusals (not participating in a specific discussion or vote) and shielding the volunteer from information (not receiving sensitive information on a specific discussion).
- If perceived, potential and real conflicts exist to the extent that would hinder all aspects of service, the volunteer may be asked to step down. This is extremely rare.

Do I need to distinguish between types of COI on the form?

- The disclosure form does not ask you to distinguish between types of disclosure, but asks a series of questions that speak to different types of relationships.
 - The first question asks you to list your disclosures. This is the broad list of relationships for general disclosure (See, “*What should I disclose?*” above).
 - The second question speaks to the *traditional perception of a potential conflict of interest*...financial or business relationships that may be perceived to impair decision making.
 - The third question asks about compensation. This should include any compensation from AAPA including speaker honorariums, reimbursement for lost income (unless your employer is reimbursed), consulting fees, etc.

Take Home Message:

- The purpose of the disclosure form is to protect the integrity of the organization and the volunteer.
- If you think something is a conflict, it more than likely is a potential or could be perceived as a conflict. It is possible it is a real conflict of interest.
- Do not hesitate to contact the IAC Chair or AAPA staff for guidance on any perceived, potential and real conflicts.