

## Conflict of Interest

# Conflict of Interest in Clinical Practice Policy

## Scope

Applies to all Mayo Clinic personnel involved in clinical practice. Also applies to all members of the Mayo Clinic Community ACO, LLC Governing Board (ACO Board) as well as ACO Corporate Officers.

## Purpose

The purpose of this policy is to institute systematic policies for identification and management of conflict of interest in clinical practice in accordance with federal regulations and Mayo Clinic policy.

## Policy

### 1. Individual Conflict of Interest

- a. A statement will be included in patient information materials received by all patients acknowledging the potential for relationships between Mayo Clinic personnel and external entities. These relationships include, but are not limited to, technology licensing agreements, know-how agreements, consulting agreements or board membership involving the individual, Mayo Clinic and a commercial entity.
- b. Patient information materials will advise patients to ask physicians or other providers directly about such relationships or to contact the Conflict of Interest Review Board for information regarding their caregivers' relationships with commercial entities.
- c. Information provided to patients by the Office of Conflict of Interest Review will include the nature of the relationship (consulting, technology license, know-how agreement or board membership, etc.), the name of the commercial entity, an acknowledgement that the physician or other caregiver receives royalties or consulting income personally, and an explanation that neither Mayo Clinic nor its physicians or other caregivers receive royalties from the sale of products invented at Mayo Clinic that are prescribed for Mayo Clinic patients.
- d. Mayo Clinic personnel who have a Significant Financial Interest related to diagnostic or treatment modalities that they prescribe in their clinical practice must disclose the nature of this interest to the Conflict of Interest Review Board, which may impose a management strategy.

### 2. Individual Conflict of Commitment

Mayo Clinic personnel who earn total annual consulting income for personal compensation of greater than 33 percent of their annual Mayo Clinic salary from a relationship with a commercial entity(ies) also will be reviewed by the Conflict of Interest Review Board to determine the potential for conflict of commitment with that individual's Mayo Clinic responsibilities, and the ability of the individual to fulfill those responsibilities.

## Policy Notes

N/A

## Related Procedures

N/A

## Related Documents

Institutional Conflict of Interest

## Definitions

**Financial Interest:** Anything of monetary value, whether or not the value is readily ascertainable.

**Significant Financial Interest:** A financial interest consisting of one or more of the following interests of the Mayo Clinic staff member (and those of the staff member's spouse or domestic partner and dependent children) that reasonably appears to be related to the staff member's institutional responsibilities:

- With regard to any publicly traded entity, a significant financial interest exists if the value of any remuneration received from the entity in the twelve months preceding the disclosure and the value of any equity interest in the entity as of the date of disclosure, when aggregated, exceeds \$5,000. For purposes of this definition, remuneration includes salary and any payment for services not otherwise identified as salary (e.g., consulting income, honoraria, paid authorship); equity interest includes any stock, stock option, or other ownership interest, as determined through reference to public prices or other reasonable measures of fair market value;
- With regard to any non-publicly traded entity, a significant financial interest exists if the value of any remuneration received from the entity in the twelve months preceding the disclosure, when aggregated, exceeds \$5,000, or when the staff member (or the staff member's spouse or domestic partner or dependent children) holds any equity interest (e.g., stock, stock option, or other ownership interest); or

Intellectual property rights or interests (e.g., patents, copyrights), upon receipt of fees related to such rights and interests.

## References

[CMS: Regulations & Guidance](#)

## Owner

[Monica Sveen-Ziebell](#), on behalf of the Medical-Industry Relations Committee

## Contact

[Monica Sveen-Ziebell](#), Administrator

## Revision History

Date	Synopsis of Change
06/08/2020	Removal of Institutional Conflict of Interest. (Moved to own policy). Minor wording edits and correction of errors.

05/13/2019	Minor Revision - Initial ACO acronym changed to Accountable Care Organization.
05/05/2019	Revised - Added ACO statement to Scope as required by CMS and checked document into the Policy and Procedure Management System.
8/2/2016	Created separate policies by subject versus one Conflict of Interest Policy.
12/2013	Approval for need to establish document: Conflict of Interest Review Board Mayo Clinic Board of Governors

### Content Information

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Workflow Reviewer Name(s): Timothy (Tim) M. Graner  
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Comments: 12/03/2021 Per Tim Graner, London is now added as an applicable site for this document. Added ACO language to the scope, updated revised history; noted ver 3 not processed through, but mtg06, MMS31 approved

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