

American College of Radiology: Conflict of Interest (COI) Policy

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I. INTRODUCTION

The American College of Radiology (ACR) has the fiduciary responsibility to hold the public trust in fulfilling its charitable mission. ACR meets this responsibility in abiding by applicable laws and regulations, and striving to foster professionalism and the integrity of professional judgment in support of its core purpose to serve patients and society by empowering members to advance the practice, science, and professions of radiological care. ACR demonstrates its commitment to these values by disclosing, managing, and, in some cases, restricting relationships that could be perceived to compromise its objective voice.

The Council of Medical Specialty Societies (CMSS) Code for Interactions With Companies (“CMSS Code”) is a set of principles that requires signatory societies to adopt policies for transparency and independence in transactions and activities involving for-profit entities that develop, produce, market, or distribute drugs, devices, services, or therapies used to diagnose, treat, monitor, manage, or alleviate health conditions.¹ ACR signed on to the CMSS Code in April 2010 and has adopted policies and practices in compliance with the Code.

The following Conflicts of Interest Policy (“Policy”) describes ACR’s comprehensive approach to addressing relationships held by ACR and its affiliates, its key leaders and volunteers, or any other person serving in an official ACR capacity.

II. SCOPE

This policy applies to the activities of the ACR and its affiliates including but not limited to the American College of Radiology Association, the American College of Radiology Foundation, the American Institute for Radiologic Pathology (herein referred to as ACR), and all **interested persons** as defined unless specific terms or the context dictates otherwise. For purposes of this Policy, the term “ACR” refers to all of these entities and related activities, collectively and as applicable.

III. POLICY STATEMENT

All ACR interested persons must complete annually, and update if there are any changes to prior disclosures, a COI Questionnaire through ACR’s electronic system. Interested persons must comply with this Policy to participate in ACR activities.

IV. INFORMATION TO BE DISCLOSED

Disclosures under this Policy generally includes but may not be limited to the following: professional relationships, financial interests, leadership positions, consulting and advisory activities, honoraria, speaking engagements, business courtesies, sanction and exclusions, expert testimony, research funding (to the individual or the institution), and licensing fees and royalties associated with intellectual property interests. Such disclosures

extend to individuals with whom an interested persons have a **close personal relationship**. ACR interested persons are not required to disclose information pertaining to direct clinical or patient care administrative services. (Certain terms are further defined in the Glossary.)

Collection of disclosures from all interested persons emphasizes ACR's commitment to transparency, objectivity, and to fulfill its legal obligations. Disclosures of relationships or financial interests do not create a presumption of impropriety.

V. POTENTIAL CONFLICTS OF INTEREST

Disclosures will assist the ACR to identify actual, potential, and perceived conflicts of interest based on an interested person's service to the ACR. Submitting and keeping current, a COI questionnaire is sufficient to resolve many potential COIs.

Listed below are types of services to the ACR and outlines of COI expectations in these areas, including any legal or external obligations. When a potential conflict has been identified that may affect an interested person's service to the ACR, various activity-specific management strategies may be employed.

Leadership and Key Persons

For the purposes of this Policy, Leadership and Key Persons are defined as Board of Chancellors (BOC), Board members of ACR affiliates, Council Steering Committee members, the Chief Executive Officer, and the Editor-in-Chief and Deputy Editor of the Journal of the American College of Radiology (JACR). These individuals are required to disclose relationships and other financial interests for themselves and individuals with whom they have a close personal relationship. The BOC Chair or Chief Executive Officer (CEO) may identify others as ACR Key Persons for purposes of this policy.

Councilors, Alternate Councilors, and All Other Annual Meeting Attendees

ACR Councilors and Alternate Councilors serve unique and vital roles participating in the ACR's Council. Elected and selected by state chapters and specialty societies, they represent those constituencies at the ACR Annual Meeting. Other ACR members and non-members also participate in the Annual Meeting, representing themselves and other constituencies. All attendees must ensure the integrity, independence and objectivity of Council activities. As a condition of attendance, all Annual Meeting attendees must complete a **conflict of interest** questionnaire as approved by the Council Steering Committee. All potentially relevant disclosures must be verbally conveyed when addressing the Council. Summary information from COI questionnaire disclosures will be available to all Annual Meeting participants. Councilors and Alternate Councilors with potential conflicts may address the Council on relevant matters but should recuse themselves from voting on them.

Officers, Directors, and Key Employees

As a 501(c)(3) tax-exempt organization, the ACR is subject to Internal Revenue Service (IRS) regulations governing "Transactions With Interested Persons".² Should a covered transaction, as defined by the IRS, be under consideration, any affected Officer, Director or Key Employee must follow ACR processes for covered transactions.

Continuing Medical Education Activities

As an accredited provider of continuing medical education (CME) for physicians, the College offers CME in accordance with the Accreditation Council for Continuing Medical Education Standards for Commercial Support.

All interested persons serving as planners, presenters, and other individuals who are in a position to control the content of ACR CME, or an activity jointly sponsored by ACR must meet disclosure requirements and management strategies as outlined by ACCME and ACR's CME compliance program.³

Journal Manuscripts

The mission of the Journal of the American College of Radiology (JACR, or "the Journal") is to fill the gap for information on health services research and policy, clinical practice management, training and education, and leadership. The ACR supports the International Committee of Medical Journal Editors (ICMJE) COI process that requires all disclosures pertaining to the planning, implementation, writing, peer review, editing, and publication of scientific work are submitted according to these standards.⁴

Clinical Research Activities

The development of new devices and pharmaceuticals and increasingly sensitive and quantitative methodologies for the diagnosis, monitoring, and treatment of human disease is dependent on partnerships among industry, academia, and government. It is essential that these relationships are guided by integrity, transparency, and consideration for the public trust.

ACR participates in numerous federally supported grants through the National Institutes of Health (NIH) and other federal agencies. All Interested Persons participating in federally funded Clinical Research Activities must submit all federally mandated disclosures through the annual ACR COI process. Additionally, all Interested Persons who participate in private (non-federally supported) research activities must disclose relationships and other financial interests according to the ACR Financial Conflict of Interest in Research Policy.

ACR Practice Parameters, Technical Standards and Appropriateness Criteria and Accreditation Activities

ACR sponsors the development of radiology practice documents and materials based on scientific evidence and consensus in a manner that minimizes the risk of actual or perceived bias, including intended or unintended influence introduced by an individual's interests. All committee members and others participating in drafting, reviewing, and approving radiology practice documents and other Committee activities must complete a COI questionnaire annually. Additionally, the majority of committee members, including the committee chair, must not hold relationships or financial interests with a company where there is a reasonable likelihood of direct regulatory or commercial impact on the entity as a result of care delivered in accordance with Committee published guidance documents. ACR does not accept Company funding to support the development or initial publication or dissemination of ACR Documents or their updates.

Grants Selection

In support of its Core Purpose, the ACR has established various grant programs. To minimize the potential for bias in awarding ACR supported grants, those serving in a grant decision making capacity must complete a COI Questionnaire annually. Those individuals serving in any grant decision making capacities are not eligible to serve as the Principal Investigator in grants they oversee.

VI. ENFORCEMENT OF POLICY

Failure to comply with this policy may result in disciplinary action up to and including removal from ACR service. Noncompliance includes failure to disclose, in good faith, an accurate and complete questionnaire, timely reporting of any changes to a previously submitted questionnaire, or failure to comply with a management plan.

VII. EFFECTIVE DATE OF POLICY

This Policy is effective on the date of publication. Earlier ACR Conflict of Interest policies are no longer in effect.

VIII. GLOSSARY

COMPENSATION – Direct and indirect remuneration as well as gifts or favors in aggregate received by interested persons and their close personal relationships.

CONFLICT OF INTEREST – A COI occurs whenever an interested person or someone with whom they have a close personal relationship has a direct or indirect interest or relationship, financial or otherwise, which may conflict or be inconsistent with the interested person’s duties, responsibilities, or independent judgment in any transaction or matter involving ACR.

CLOSE PERSONAL RELATIONSHIP – Any relationship that may create an actual, potential or perceived COI. These may include immediate family members, other relatives, or other persons close to you where you know about their relationships or other financial interests.

COVERED TRANSACTIONS – Any transaction in which there may be an actual, potential or perceived conflict of interest, which occurs when the interests of an Officer, Director, or key employee may be seen as competing with the interests of the ACR.

FINANCIAL INTEREST – Financial relationships of interested persons or those of their close personal relationships with any entity related to or doing business with ACR or to any activities associated with research, practice, or education, in the fields of diagnostic radiology, radiation oncology, interventional radiology, nuclear medicine and medical physics. Financial interests include, but are not limited to:

- Salary
- Consulting fees
- In-kind donations
- Honoraria
- Speaker’s bureau payments
- Equity interest
- Ownership or intellectual property rights, including copyrights, patents, and royalties
- Research grant funding
- Reimbursement for travel or other expenses
- Investment income such as stocks, bonds, mutual funds
- Other payments viewed as **compensation**

INTERESTED PERSON – Any officer, chancellor, councilor, alternate councilor, member of an ACR commission, committee or task force, persons responsible for public or private research activities related to ACR, annual meeting attendee, or any other person serving in an official ACR capacity.

Whereas certain interested persons are further defined in this policy as ACR Leadership and Key Persons, this group includes officers, members of the Board of Chancellors (BOC), Board members of ACR affiliates, Council Steering Committee members, and the Editor-in-Chief and Deputy Editor of the Journal of the American College of Radiology (JACR). The BOC Chair or Chief Executive Officer (CEO) may identify others as ACR Key Persons for purposes of this policy.

REFERENCES

1. Council of Medical Specialty Societies: Code for Interactions With Companies. <http://cmss.org/wp-content/uploads/2016/02/>. Accessed April 1, 2020.
2. U.S. Department of Treasury. Internal Revenue Service. Instructions for Form 990 Return of Organization Exempt From Income Tax. Section 4958, Schedule L (Form 990 or 990-EZ), Transactions With Interested Persons, Part I, and Form 4720, Schedule I, regarding reporting of excess benefit transactions. <https://www.irs.gov/pub/irs-pdf/i990.pdf> Effective January 2020. Accessed February 14, 2020.
3. Accreditation Council for Continuing Medical Education. Definition of a Commercial Interest. ACCME Web site. <http://www.accme.org/requirements/accreditation-requirements-cme-providers/policies-and-definitions/definition-commercial-interest>. Accessed December 16, 2019.
4. International Committee of Medical Journal Editors. <http://www.accme.org/requirements/accreditation-requirements-cme-providers/policies-and-definitions/definition-commercial-interest>. Accessed December 18, 2019.