



Policy Title:	ACAOM Conflict of Interest and Disclosure Policy
Approved By:	ACAOM Executive Committee
Document History:	Implementation Date: 1 December 2015 Last Updated: 18 August 2016
Related Policies:	<i>ACAOM Code of Conduct; ACAOM Conflict of Interest Disclosure Form; ACAOM Commissioners Manual; ACAOM Site Visitor Manual</i>
References:	20 U.S. Code § 1099b; 34 CFR 602.14(b)(3), 602.25(f)(1)(ii)
Responsible Official:	ACAOM Executive Director

Policy Summary: This guidance outlines the Commission's *Conflict of Interest and Disclosure Policy* and the duty to disclose actual or possible conflicts of interest.

Conflict of Interest and Disclosure Policy

The Accreditation Commission of Acupuncture and Oriental Medicine (ACAOM or Commission) is committed to maintaining a high standard of professional integrity in fostering scientific, clinical, and educational work in the fields of acupuncture and oriental medicine. It is essential that ACAOM's staff, Commissioners, consultants, representatives, communities of interest and the general public (stakeholders) recognize and have confidence in this commitment. Thus, even the appearance of a conflict of interest should be avoided. In order to maintain the confidence of its stakeholders, ACAOM has adopted this *Conflict of Interest and Disclosure Policy*.

The ACAOM depends upon its staff, Commissioners and the voluntary service of its consultants to achieve its goals as an accreditor. It is the Commission's policy that the acceptance of any money, property, gifts, favors or services that might be reasonably perceived by others to influence the discharge of one's duties on behalf of the Commission is strictly prohibited. The Commission recognizes that those serving on its behalf may have personal, business, and professional interests, some of which may have the potential to create actual or possible conflicts with the best interests of the ACAOM. The ACAOM does not necessarily view the existence of these interests as an impediment to participation in ACAOM activities, but it does require that they be disclosed and managed as outlined herein.

1. Definitions:

Conflict of Interest: A situation in which professional judgment or behavior concerning the integrity of the Commission and its duties as an accreditor have been improperly influenced by a different interest (such as for financial gain).

Immediate family member: a person's parents, spouse or partner, sibling(s), child or children, and first cousins.

Significant financial interest: an equity interest that exceeds \$5,000 in value or 5% ownership.

ACAOM Representative: an ACAOM employee, Commissioner, volunteer, consultant or person acting in any way as the ACAOM's designated representative.

2. Duty to Disclose

All ACAOM Representatives are under a continuous affirmative duty to promptly disclose actual or possible conflicts of interests when:

- 1) The ACAOM Representative or, to the best of his or her knowledge, an immediate family member has a significant financial interest in any institution/entity which provides products, educational services or clinical services that are likely to be affected by actions taken by the Commission.
- 2) If within the previous seven (7) years, the ACAOM Representative or an immediate family member has received consulting fees, licensing fees, honoraria, stock options, travel expenses, lodging, gifts, gratuities, entertainment, free products or services from any institution/entity which provides products, educational services or clinical services that are likely to be affected by actions taken by the Commission.
- 3) If currently, or within the previous seven (7) years, the ACAOM Representative or an immediate family member has served as an officer or director, or has been employed by or on behalf of any institution/entity which provides products, educational services or clinical services that are likely to be affected by actions taken by the Commission.
- 4) The ACAOM Representative becomes aware of any development in his or her life or in the life of an immediate family member that may compromise the integrity of the Commission and the fulfillment of its duties as an accreditor.
- 5) The ACAOM Representative or an immediate family member is a graduate of an institution/program for which the ACAOM Representative has been asked to perform services for and on behalf of the Commission.
- 6) The ACAOM Representative is or has been involved with a competitive institution/program in the same geographical area as an ACAOM assignment.

3. Filing a Disclosure Statement

Before any formal engagement by the Commission and at least annually thereafter all ACAOM Representatives shall file a *Conflict of Interest Disclosure Form* (Disclosure Statement) with the Commission's Executive Director or designee for review and disposition. Disclosure Statements filed by the Commission's Executive Director shall be reviewed by the Chair of the Commission.

Any information provided in a *Disclosure Statement* will be marked and treated as confidential, and not reviewed by any person except as required by law or provided herein.

All *Disclosure Statements* shall be retained in a secure file at the Commission's office for three (3) years after which they shall be destroyed under the direction of the ACAOM's Executive Director.

4. Interim Disclosures

ACAOM Representatives are under a continuous affirmative duty to disclose actual or possible conflicts of interests. Whenever an ACAOM Representative becomes aware of an actual or possible conflict of interest he or she shall promptly disclose the relevant facts and circumstances to the ACAOM Executive Director (or the Chair of the Commission) and withdraw or recuse himself or herself from Commission service until the matter has been reviewed and resolved.

5. ACAOM Response to the Disclosure Statement

An ACAOM Representative who has made a conflict of interest disclosure that upon review does not appear to constitute an issue of sufficient magnitude to warrant further action by the Commission will be so informed in writing by the ACAOM Executive Director or designee.

An ACAOM Representative who has made a conflict of interest disclosure that upon review does appear to constitute an issue of sufficient magnitude to warrant further action will be so informed in writing by the ACAOM Executive Director or Chair of the Commission as the case may be. The matter will be promptly referred to the Executive Committee of the Commission for further review and disposition. The disclosing individual will have the opportunity to fully present his or her view of the situation (by letter, teleconference, or other agreed upon means) to the Executive Committee of the

Commission. If that body determines (by a simple majority vote) that the disclosure poses a conflict of interest or could create a substantial perception of a conflict of interest, it shall direct the disclosing individual to withdraw from the particular Commission service giving rise to the conflict at issue. In certain circumstances, the individual may need only to recuse himself or herself from a specific discussion or vote on a specific topic that may be perceived to create a possible conflict of interest for the individual.

6. Failure to Comply

Failure to fully comply with this *Conflict of Interest and Disclosure Policy*, or instructions issued by the Executive Committee of the Commission, may be considered cause for administrative action up to and including termination as an ACAOM Representative.

Revision History

Date Revised	Summary of Revisions	Approved By
160818	Reformatted and revised policy	ACAOM Executive Director