University Conflict of Interest Committee
Charter

BACKGROUND AND HISTORY:
The consistent and appropriate reporting of Financial Conflict of Interest (FCOI) and the elimination or management of the conflict involving personnel (faculty, staff and administrators) and assets are important for compliance with federal and state regulations as well as to ensure that the University, medical center and our affiliates' reputations are not compromised by even an appearance of conflict of interest. Heightened public awareness and mandated federal guidelines, combined with the continued rapid growth of technology transfer activities and the ever increasing engagement of the University and the University faculty and staff in commercial enterprises, warrant greater involvement of this designated Committee in monitoring and providing enterprise-wide oversight in FCOI issues.

On May 17, 2012 the Board of Trustees of the Medical University of South Carolina approved policies and procedures regarding financial conflict of interest relative to the mission of the University. The overarching purpose of this Committee is to 1) assist the Vice President for Academic Affairs and Provost in administering the Board of Trustees policies regarding financial conflict of interest; and 2) to protect the credibility and integrity of the University’s faculty and staff so that the public may have trust and confidence that the actions of University employees are not partial to nor influenced by personal financial gain.

CLASSIFICATION AND TERMS OF REVIEW:
The University Conflict of Interest Committee is a University level standing committee. The University Vice President for Academic Affairs and Provost will review this charter annually for the continued need for the Committee and for revisions as appropriate.

FORMAL CHARGES:
Consistent with current University policies and procedures that address FCOI of its employees and the institution, the University Conflict of Interest Committee shall assume directly the following functions:

1. Review of existing policies related to the reporting and management of potential faculty, staff and institutional FCOI. If applicable, to recommend new and/or revised policies and procedures to ensure appropriate oversight and management of University FCOI issues as well as maintain compliance with state and federal policies and guidelines.
2. Maintain awareness of FCOI policies and guidelines issued by professional organizations and associations of academic institutions, e.g. Association of American Medical Colleges (AAMC), Association of American Universities (AAU), Council on Governmental Relations (COGR), National Association of State Universities and Land-Grant Colleges (NASULGC), and to respond on behalf of the University to requests for comments from such organizations.
3. Review FCOI disclosures at the request of the Conflict of Interest Office, department/division chairs, college deans, and senior officers of the University. Recommend to the individual, supervisor and the Vice President for Academic Affairs and Provost appropriate FCOI management plans as warranted.
4. Maintain a central record and ensure the monitoring of approved FCOI management plans developed in response to disclosure of significant financial interest in external entities by faculty or staff and report any such conflict to the appropriate federal agencies as required by federal regulations.
5. Oversee the preparation of case studies and model plans for managing FCOI of faculty and staff who disclose significant financial interest in external entities, and disseminate model FCOI management plans and/or other management tools that may provide guidance and recommendations to department chairs, deans and senior administrators.

6. Procurement of and/or development of training and educational materials for faculty, staff and senior administrators on the topic of FCOI.

7. Provide assistance to the Vice President for Academic Affairs and Provost in determining how generic FCOI cases involving faculty, staff and designated administrators may be prevented, managed, reduced or eliminated.

8. Assist the Vice President for Academic Affairs and Provost in developing reasonable sanctions for individuals who are non-compliant with established FCOI management plans and/or fail to comply with approved and mandated disclosure requirements.

9. Review and approve the annual report addressing the activities and future directions of the University Conflict of Interest Committee for subsequent dissemination to the Vice President for Academic Affairs and Provost, the President, and any other administrative and/or governing units these two officers may select.

**REPORTING CHANNELS/PROCEDURES:**
The Committee shall report directly to the Vice President for Academic Affairs and Provost and will copy reports of the Committee’s final deliberations as appropriate to the Associate Provost for Research and the MUSC, MUHA and UMA compliance officers.

**SUBCOMMITTEES:**

*Ad Hoc Conflict of Interest Committees* may be formed as non-standing University committees by the University Conflict of Interest Committee 1) to provide a specific review of an individual conflict of interest case that falls outside of the focus of an existing Standing Conflict of Interest Committee, or 2) to establish or expedite an operational process, e.g., the initial evaluation of submitted disclosures. The University Conflict of Interest Committee will authorize and charge the individual Ad Hoc Committee and will define their responsibilities, their reporting mechanism and their limited existence. There may be as many ad hoc, task oriented subcommittees appointed as needed by the University Conflict of Interest Chair.

**MEMBERSHIP:**
Overseeing every aspect of FCOI is a complex operation. Members are required to deal with federal and state requirements, University policy development, evaluate personal financial interest, non-compliance and oversee the management of FCOI. The tasks require University personnel from a variety of areas of expertise, who have demonstrated a high level of analytical thinking, professionalism and discretion. Collectively, the University Conflict of Interest Committee should be composed of faculty and support staff who share a recognition that financial conflicts of interest are likely to occur in all mission areas, and that financial conflict of interest involving our institutional officers, faculty and staff must be managed in a manner that does not harm the integrity of the University.

The voting members of the University Conflict of Interest Committee entrusted with the Committee’s final decision shall consist of a minimum of five (5) individuals who hold faculty appointments representing a cross section of the academic disciplines. All faculty members shall be appointed by the Vice President for Academic Affairs and Provost to serve staggered three-year terms. Initially, two faculty appointments will be for one year, two faculty appointments will be for two years and two faculty appointments will be for three years. All subsequent faculty appointments will be for three years and a member who serves two consecutive three-year terms shall not be reappointed for at least two years after completing those terms. The Research Conflict of Interest Committee Chair will be a standing
member of the University Conflict of Interest Committee, serving as a liaison between these committees.

In addition, the University Conflict of Interest Committee shall have the following ex-officio members who shall be non-voting members. By right of office they are: MUSC General Counsel; MUSC Conflict of Interest Officer; MUSC Associate Chief of Staff, Office of the President; MUHA Director of Legal Affairs; Director, University Compliance; MUHA Director of Compliance; UMA Senior Director of Compliance. Guests may be invited by the University Conflict of Interest Committee Chair to attend committee meetings as appropriate.

**OFFICERS:**
The Committee Chair shall 1) be a faculty member in good standing, 2) shall serve as the senior officer of the University Conflict of Interest Committee, and 3) be appointed by the Vice President for Academic Affairs and Provost.

Upon the recommendation of the Committee Chair, a Vice Chair shall also be appointed by the Vice President for Academic Affairs and Provost, with the authority to conduct any necessary business during the Chair’s absence. The Vice Chair shall have an undeclared term but will serve at the pleasure of the Committee Chair with the concurrence of the Vice President for Academic Affairs and Provost.

**FREQUENCY OF MEETINGS:**
The Committee shall schedule monthly meetings. Additional meetings may be called or regularly scheduled meetings may be cancelled by the Committee Chair or by two thirds of the voting members of the Committee. Cancellation of a scheduled meeting should involve the lack of urgent business or if a quorum (50% or greater) of members will be unable to attend.

**NOTICE OF MEETINGS:**
An annual schedule of University Conflict of Interest Committee meetings shall be determined at the beginning of each academic year.

**MEETING AGENDA AND SUPPORT MATERIAL:**
A formal meeting agenda and appropriate supportive materials shall be available for each Committee member.

**COMMITTEE MINUTES:**
Minutes of each meeting shall be prepared in draft form and approved by the Committee Chair following approval by Committee members.

**COMMITTEE AND SUBCOMMITTEE REPORTS:**
The Committee Chair shall make all needed written reports, recommendations, or inquiries on behalf of the University Conflict of Interest Committee to the Vice President for Academic Affairs and Provost. Formal recommendations from Ad Hoc Committees shall be reflected in the University Conflict of Interest Committee’s Annual Report.

**STAFF SUPPORT:**
The Office of the Vice President shall provide staff assistance to the Committee and its chair.

**MEETING QUORUM:**
Attendance by 50% or greater of the Committee's members will constitute a quorum for conducting official business.
AMENDMENT TO THIS CHARTER:
Should any amendment to this charter be required, the Vice President for Academic Affairs and Provost shall work with the University Conflict of Interest Committee Chair to craft an amendment suitable to all parties. The amended charter shall be completed, signed and issued with all possible haste. When the initiative for such an amendment comes from the Committee, a written request from the Chair to the Vice President for Academic Affairs and Provost shall be provided.

Mark S. Sothmann, Ph.D.
Vice President for Academic Affairs and Provost

October 17, 2013
Date: