BACKGROUND/HISTORY:

In furtherance of the mission of the Medical University of South Carolina, and in compliance with Federal Regulations, a University goal is to advance scientific discoveries that benefit humanity. In 1980, the United States Congress explicitly sanctioned and facilitated by legislation, the commercialization of inventions by permitting academic institutions and scientists to benefit financially if their federally sponsored research leads to commercial products. In addition, interaction between research universities and industry enhances the rapid application of scientific discoveries to the needs of society and maintains international competitiveness of domestic industries.

In 1995, the Board of Trustees of the Medical University of South Carolina approved policies and procedures regarding Conflicts of Interest in relationship to “sponsored projects, research education and University service”. The purpose of this Committee is to protect the credibility and integrity of the University’s faculty and staff so that public trust and confidence in their actions are without interest in personal gains, financial or otherwise. A standing University Conflict of Interest Review Committee was created to assess actual and perceived conflicts of interest. Policies and procedures regarding conflict of interest are provided in the Medical University of South Carolina and Medical University Hospital Authority Policies and Procedures and are referenced in the MUSC Faculty Handbook.

The Medical University of South Carolina, as a State agency, is governed by the Federal and State Ethics acts which prohibit MUSC from acquiring an equity and or ownership in private ventures and further restricts how state/public funds are expended. The governing board of the University remains sensitive in their oversight of all potentially conflicting situations to insure that MUSC is in compliance with all state and federal laws.

As the Medical University of South Carolina conducts research funded by the Public Health Service, it is required by federal law to maintain an appropriate written, enforced policy on conflict of interest that complies with 42 CFR Part 50 Subpart F – “Responsibility of Applicants for Promoting Objectivity in Research for which Public Health Service Funding is Sought”. http://grants.nih.gov/grants/compliance/42_CFR_50_Subpart_F.htm

In accordance with the Medical University of South Carolina and Medical University Hospital Authority Policies and Procedures, financial conflicts of interest are disclosed on an annual basis and updated as appropriate.

Any new financial conflict of interest will be disclosed to the committee, managed, reduced or eliminated, and reported to the Public Health Service Awarding Agency and/or other federal funding and oversight agencies, at least on an interim basis, within 60 days of its identification.
CLASSIFICATION/TERMS OF APPOINTMENT:

This is a University-level standing committee. The Charter will be reviewed annually by the Vice President for Academic Affairs and Provost for continued need and for revisions, as appropriate.

FORMAL CHARGES:

The MUSC Research Conflict of Interest Committee shall establish and maintain oversight of any actual or perceived conflicts arising directly or indirectly from research, albeit sponsored research, non-sponsored research, start-up ventures, or other activities that require research objectivity under circumstances that could be influenced by personal financial gain. Questions of a financial conflict of interest, whether perceived or actual, should be referred to this Committee. Specific charges for the committee are to:

- Conduct an assessment of all Financial Interest Disclosure Forms related to research activities as well as other potential sources of COI disclosure, e.g., Proposal Data Sheets, Outside Professional Activity Related to Faculty Start-up Venture and applications for IRB approval.
- Report to the Office of the Vice President for Academic Affairs and Provost and the Associate Provost for Research the nature of the conflict of interest reported and the action taken by the Committee.
- Approve or disapprove plans to manage apparent or real conflict of interest situations, where appropriate, and recommend any corrective measures to assure that the approved management plan is followed.
- Provide minutes of Committee meetings as well as a summative annual report of the Committee’s activities to the Vice President for Academic Affairs and Provost and the Associate Provost for Research.

REPORTING CHANNELS/PROCEDURES:

The Committee shall report to the Vice President for Academic Affairs and Provost and will copy reports of the Committee’s final deliberations to the Associate Provost for Research and the University Compliance Officer.

Violations of University or Authority policies, including the failure to avoid a prohibited activity or disclose a conflict of interest in a timely manner, will be dealt with in accordance with applicable policies and procedures that may include disciplinary actions up to and including termination of employment.

If an investigator has failed to comply with the MUSC conflict of interest policy and this has potentially biased the design, conduct or reporting of the PHS-funded research, the Associate Provost for Research will promptly notify the Awarding Agency of the corrective action implemented.
MEMBERSHIP:

Because of the focus on faculty research, the MUSC Research Conflict of Interest Committee shall be composed of faculty and research support staff. The voting members of the Committee shall be composed of a minimum of five individuals who hold faculty appointments and who represent a reasonable cross section of the academic disciplines that are involved in investigative endeavors. Faculty shall be appointed by the Vice President for Academic Affairs and Provost to serve a staggered three-year term.

In addition, the Committee shall have the following non-voting members who shall serve in an ex officio capacity: Director, Office of Research and Sponsored Programs; MUSC General Counsel; Executive Director, MUSC Foundation for Research Development; Director, Office of Research Integrity; Director, University Compliance; Director, University Risk Management. The Committee must also include a non-voting member from the community. Guests may be invited by the chair to attend Committee meetings, as appropriate.

All committee members must agree and complete statements indicating that all information and deliberations are confidential.

OFFICERS:

A chair shall be appointed by the Vice President for Academic Affairs and Provost and will serve a two-year term. Upon the recommendation of the Committee chair, a vice chair shall also be appointed by the Vice President for Academic Affairs and Provost for an undeclared term and with the authority to conduct any necessary business during the chair’s absence.

SUBCOMMITTEES:

An Executive Committee may be formed to facilitate processing and initial evaluation of disclosures and to determine if full committee review is necessary as defined in the policies and procedures document “MUSC Research Conflict of Interest Committee Disclosure Review Procedures”.

There may be ad-hoc, task-oriented subcommittees appointed as needed by the chair.

FREQUENCY OF MEETINGS:

The Committee shall meet monthly. Additional meetings may be called, or regularly scheduled meetings may be canceled, by the chair or two-thirds of the voting members of the Committee. Cancellation of a scheduled meeting should involve the lack of urgent or sufficient items of business, or if too many members will be unable to attend.
NOTICE OF MEETINGS:

An annual schedule of Committee meetings shall be determined at the beginning of each academic year. Notification of Meetings shall be in compliance with South Carolina State Law.

MEETING AGENDA AND SUPPORT MATERIAL:

A formal meeting agenda and appropriate supportive materials shall be available for each Committee member.

COMMITTEE MINUTES:

Summary minutes of each meeting shall be prepared in draft form and approved by the Committee chair. Because of the need to resolve particular issues in a timely manner, it is important that the draft minutes containing all actions or rulings be forwarded to the Vice President for Academic Affairs and Provost with copies to the Associate Provost for Research within 2 weeks of the meeting.

COMMITTEE AND SUBCOMMITTEE REPORTS:

The Committee chair shall make all needed written reports, recommendations, or inquiries on behalf of the Committee to the Vice President for Academic Affairs and Provost. Formal rulings of the Committee will be reflected in the Committee's annual report.

Records of all financial disclosures and all actions taken by the Research Conflict of Interest Committee will be maintained for at least three years from the date of submission of the final expenditures report (s) for the applicable project (s) or, where applicable, from other dates specified in South Carolina State law, 45 CFR 50 Subpart F or by other federal funding or oversight agencies.

STAFF SUPPORT:

Staff assistance to the Committee and its chair shall be provided by the Office of the Vice President for Academic Affairs and Provost.

MEETING QUORUM:

A simple majority of the voting Committee membership will constitute the necessary quorum for conducting official Committee 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 committee chair to derive an amendment suitable to all parties. The amended charter shall be completed, signed, and issued with all possible haste. When the initiative for such amendment comes from the Committee, a written request from the chair to the Vice President for Academic Affairs and Provost shall be provided.

THIS MUSC RESEARCH CONFLICT OF INTEREST COMMITTEE CHARTER IS EFFECTIVE AS OF JANUARY 23, 2009. This Charter hereby replaces and supersedes all prior Charters and Amendments thereof, most notably, the Conflict of Interest Review Committee Charter placed in effect on November 1, 1995, the Conflict of Interest Review Committee Charter placed in effect on November 17, 2005, and the Research Conflict of Interest Review Committee Charter placed in effect on April 1, 2008.

Approved:

John R. Raymond, Sr. M.D.
Vice President for Academic Affairs and Provost
DCI Professor of Medicine

23 January 2009
Date