

# American Society of Breast Surgeons

## Conflict of Interest Policy for Volunteers and Staff

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The American Society of Breast Surgeons (ASBrS) has implemented a Conflict of Interest (COI) policy to ensure that all volunteers and staff:

1. Disclose all financial and non-financial/strategic business relationships or partnerships relevant to their position/participation before the start, and during, their participation. Disclosures include financial interests and non-financial/strategic business relationships or partnerships in the 24-month period preceding the time a volunteer or staff assumes their position or participation.
2. Refrain from using their position for personal gain or advantage, or to obtain a favored status with any particular group or financial interest.
3. Recuse themselves from discussing and voting on any matter involving a potential conflict.

The ASBrS COI Policy for Volunteers and Staff applies to all persons in a position of leadership who serve on the Board of Directors, committees, sub-committees, steering committees, or working groups, or in any volunteer activity, as well as all employees, staff, and consultants, in an official capacity for the Society. All ASBrS volunteers and staff are required to disclose their financial interests and non-financial/strategic business relationships or partnerships. Disclosures also include spouse financial interests and non-financial/strategic business relationships or partnerships. The COI Policy relies chiefly on disclosure of financial and other interests to identify and manage potential conflicts of interests.

A conflict of interest arises when a volunteer or staff member may benefit financially from a decision he or she could influence in such capacity. When an individual's interests are aligned with those of a commercial interest the interests of the individual may be in 'conflict' with the interests of the public, ASBrS, or its members. The ASBrS considers financial relationships to create actual conflicts of interest when individuals have both a financial relationship with a commercial interest, **and** the opportunity to affect the discussion, decision making, and planning of committee activities, projects, etc. The potential for maintaining or increasing the value of the financial relationship with the commercial interest creates an incentive to influence the discussion, decision making, and planning of committee activities – an incentive to insert commercial bias. Duties to other organizations, such as serving on a board, do not constitute a conflict of interest.

### Policy

1. All ASBrS volunteers and staff must disclose their (and their spouse or domestic partner) financial and non-financial/strategic business relationships or partnerships relevant to their position/participation. Disclosure must extend to interests in and compensated as well as uncompensated relationships with any for profit entity that develops, produces, markets or distributes drugs, devices, services or therapies used to diagnose, treat, monitor, manage, and alleviate breast disease (including but not limited to pharmaceutical, biotechnology, and medical device companies). Disclosure are made by completing a 'Disclosure of Financial Relationships' form.
  - a. During their terms of office, the President, President-Elect, and Immediate Past President may not have a direct financial relationship with a company. ASBrS follows the recommendations in section 1.4 of the [CMSS Code](#) for the President, President-Elect, and Immediate Past President.
  - b. ASBrS has a separate disclosure policy for CME activities available [online](#).

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2. If a volunteer or staff member has no financial or non-financial/strategic business relationships or partnerships relevant to their position/participation, this information must be disclosed as well.
3. Disclosure should be made at the beginning of service by completing a 'Disclosure of Financial Relationships' form, then annually. Disclosure should be updated when there are material changes in the information disclosed. Disclosure must be made whether compensation is paid directly to the individual Leader or to the Leader's institution or to another entity such as a charity. Disclosure should include financial interests and relationships held by the individual's spouse, domestic partner or dependent child.
4. Annually, volunteers and staff will sign a written disclosure of financial relationships form acknowledging no conflicts of interest or noting any areas of potential concern. A summary spreadsheet of disclosures will be available prior to the applicable committee meetings and will be included with the meeting agenda. The summary spreadsheet of disclosures will be forwarded to the Ethics Committee for review on at least an annual basis.
5. Volunteers and staff will recuse themselves from discussions, decisions or situations where they have a conflict of interest or a potential conflict.
6. The management of actual or potential conflicts of interest will depend on the particular circumstances, including the nature and extent of the financial interest or relationship.
7. A list of disclosures and resolutions of potential or actual conflict of interests will be documented in writing and included in the minutes of applicable committee meetings.
8. At the beginning of every meeting, the president or the committee chair will ask if there are any additional potential conflicts that should be brought to the attention of the members in attendance, and the minutes will reflect the response.
9. Whenever there is a potential conflict of interest, the leadership member will recuse himself or herself from discussing and voting on the matter involving the conflict.
10. Even though potential conflicts of interest will be recorded as outlined above, every leader has a duty to remind others of the potential conflict anytime verbal or written discussion involves an area where a committee member might have a conflict.
11. Previously undisclosed conflicts of interest, whether reported by the individual with the potential conflict, discovered through the normal course of Society business, or reported by any member or staff person, will be sent to the Ethics Committee for discussion and recommendations. The findings of the Ethics Committee will be reported to the president who will inform the board. The board of directors will have the final authority over such matters.
12. Annually, the Society will provide ASBrS membership with a summary of any disclosed conflicts for the past year including the disposition of any conflicts which required board action. A list of persons who reported no conflicts will be included.

### **Glossary of Terms**

#### *Company or Commercial Interest*

A company or commercial interest is a for-profit entity that develops, produces, markets, or distributes drugs, devices, services or therapies used to diagnose, treat, monitor, manage, and alleviate health conditions. This definition is not intended to include non-profit entities, entities outside of the healthcare sector, or entities through which physicians provide clinical services directly to patients.

#### *Financial and strategic business relationships or partnerships*

Financial relationships are those relationships in which the individual benefits by receiving a salary, royalty, intellectual property rights, consulting fee, honoraria, ownership interest (e.g., stocks, stock options or other ownership interest, excluding diversified mutual funds), or other financial benefit. Financial benefits are usually associated with roles such as employment, management position, independent contractor (including

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contracted research), consulting, speaking and teaching, membership on advisory committees or review panels, board membership, and other activities from which remuneration is received, or expected.

A strategic business relationship or partnership is a relationship between two commercial enterprises, usually formalized by one or more business contracts. A strategic partnership will usually fall short of a legal partnership entity, agency, or corporate affiliate relationship.

### *Non-financial and strategic business relationships or partnerships*

Non-financial relationships are those relationships in which the individual benefits by receiving incentives or transactions which does not involve financial benefits. For example, non-financial incentives transactions could include but not limited to: prizes, paid training, gift cards, paid vacations, paid parking or transit passes.

### *Relevant financial relationships*

ASBrS focuses on financial relationships with commercial interests in the 24-month period preceding the time that the individual assumes a volunteer or staff role. ASBrS has not set a minimal dollar amount for relationships to be significant. Inherent in any amount is the incentive to maintain or increase the value of the relationship. ASBrS defines “‘relevant’ financial relationships” as financial relationships in any amount occurring within the past 24 months that create a conflict of interest.

### *Conflict of Interest*

A conflict of interest arises when a volunteer or staff member may benefit financially from a decision he or she could make in such capacity. When an individual’s interests are aligned with those of a commercial interest the interests of the individual are in ‘conflict’ with the interests of the public. The ASBrS considers financial relationships to create actual conflicts of interest when individuals have both a financial relationship with a commercial interest **and** the opportunity to affect the discussion, decision making, and planning of committee activities, projects, etc. The potential for maintaining or increasing the value of the financial relationship with the commercial interest creates an incentive to influence the discussion, decision making, and planning of committee activities – an incentive to insert commercial bias. Duties to other organizations, such as serving on a board, do not constitute a conflict of interest.

I have read the above conflict of interest policy and will abide by it.

Name:

Committee/Position:

Date:

***Please return this form to Laura Randel by e-mail: [lrandel@breastsurgeons.org](mailto:lrandel@breastsurgeons.org) or fax: 410-381-9512  
no later within 10 days of receipt.***