

AASM Foundation Conflict of Interest (COI) Policy for Board of Directors
Effective February 1, 2020

Purpose

The American Academy of Sleep Medicine Foundation (AASM Foundation) is committed to integrity in the conduct of all its activities. The purpose of the AASM Foundation Conflict of Interest (COI) policies are to ensure fair and transparent guidelines to maintain integrity, credibility, and ethical standards for individuals serving the AASM Foundation in volunteer and elected positions. The AASM Foundation recognizes that its volunteers are subject to conflicts of interest. This policy outlines the required disclosures of financial or other relationships, by members of the AASM Foundation Board of Directors and the Executive Director, which may be perceived as potential or actual conflicts. This policy also describes the procedures for review and resolution of these conflicts. This policy should be reviewed annually and every time the AASM COI policy is revised in order to determine if any updates are necessary.

Rules and Restrictions

1. The following restrictions apply to the AASM Foundation Board members:
 - a. AASM Foundation Board members cannot be listed as a PI, co-PI, key personnel, mentor (paid or unpaid) or paid consultant on any AASM Foundation award application for the duration of their term on the Board of Directors and for one year after their term ends. Under some circumstances, AASM Foundation Board members may serve as unpaid consultants on applications (e.g., Board member is part of an expert panel or advisory group related to an implementation science project). In such instances, the Board member should seek approval from the EC in advance of submitting the application.

Inclusion of a Board member on an application, other than as an approved unpaid consultant, will result in withdrawal of the application from consideration for funding. There are no steps for mitigation of a conflict (e.g., recusal from discussion and vote) with a member of the Board of Directors.

- b. AASM Foundation Board members cannot provide letters of recommendation for any applicants for the duration of their term on the Board of Directors unless required to do so as part of the application requirements (e.g., Career Development Awards that require a letter from the Department Chair or fellowship program director and the Board member is serving in one of these roles at their institution).
 - c. AASM Foundation Board members cannot serve as Review Committee members or ad-hoc reviewers for any AASM Foundation award or program applications. AASM Foundation Board members can review letters of intent submitted for AASM Foundation awards or programs.
2. AASM Foundation Board members must disclose any of the following conflicts and recuse themselves from discussions or votes relevant to their conflict(s).

- a. Direct employment or service as a consultant for a Commercial Entity.
- b. Direct ownership, or ownership by Immediate Family, of either >5% of a sleep-related Commercial Entity or stock in such a Commercial Entity.
- c. Acceptance of payments for speaking engagements from a Commercial Entity.
- d. Recipient of a personal gift or institutional gift on your behalf, discounted or free use of material or equipment of value \geq \$1,000 provided by a Commercial Entity.
- e. Member of a Commercial Entity Board of Directors or Advisory Board related to sleep (paid or unpaid).
- f. Member of a Board of Directors or Advisory Board of another professional or nonprofit organization related to sleep.
- g. Membership in a speaker's bureau.
- h. Recipient of a research or travel grant from a commercial entity.
- i. Partial or sole ownership of Intellectual Property related to sleep medicine that produces income or other monetary benefit.

Definitions

For the purpose of this policy, the following definitions apply:

Commercial Entity: For-profit manufacturers

Intellectual Property: A work or invention that is the result of creativity, such as a manuscript or a design, to which one has rights and for which one may apply for a patent, copyright, trademark, etc.

Immediate Family: Parents, siblings, spouse/partner, and children.

Advisory Board: A body that provides strategic advice to the management or Board of Directors of a commercial entity or nonprofit organization

Timeframe

Generally, any conflict that ended at least one year prior to COI disclosure is not applicable and should not be considered a conflict.

Procedure for COI Disclosure

1. New nominees to the AASM Foundation Board of Directors will be asked to complete an AASM Foundation COI disclosure form upon appointment. All current AASM Foundation Board members and the Executive Director must complete a COI disclosure form annually in July. All completed forms should be submitted to AASM Foundation staff for review.
2. All disclosed conflicts of interest with respect to new nominees, and any changes in COIs of current members, are submitted to the AASM Foundation Board of Directors for information at their next meeting.
3. Should a change of circumstances occur during the year, AASM Foundation Board members must promptly complete a new COI form which will be submitted to the AASM Foundation Board of Directors for information at their next meeting.
4. Should a conflict arise that is not outlined within the policy, the non-conflicted members of the AASM Foundation Board of Directors have the right to decide the most appropriate level of conflict to apply.
5. All COI disclosure forms will be retained at the AASM Foundation national office and will be released to individuals upon written request. COI disclosure forms will not be placed on the AASM Foundation website.

- All members of the AASM Foundation Board of Directors will also be required to disclose conflicts of interest (see Table 1.) with each letter of intent and award/program application reviewed for approval of a funding decision.

Failure to Disclose COIs

- The AASM Foundation Board of Directors shall have the right to take whatever steps it deems necessary against any person who is required to submit a COI form but fails to disclose a relevant COI. These shall include, but not be limited to, removal from office and banning that person from holding any further office in the AASM Foundation for a specified or unlimited time.
- Failure to submit a timely COI form may result in removal from office at the discretion of the AASM Foundation Board of Directors.

Table 1. Conflicts that require disclosure prior to reviewing applications for approval of a funding decision.

<p>If any of the following conditions apply, the Board/EC member <u>cannot</u> participate in discussions or votes regarding funding decisions on an award cycle where the conflict of interest exists:</p>	<ul style="list-style-type: none"> The BOD/EC member (or immediate family member) could receive a financial benefit from individuals/industries that own or manufacture medical treatments, services, or items that the application proposes to study. The BOD/EC member is an immediate family member of the PI, co-PI or key personnel on an application.
<p>If any of the following conditions apply, the Board/EC member must disclose the conflict(s) of interest and recuse himself or herself from the discussion and votes regarding funding decisions of the specific application(s) they are in conflict with:</p> <p><i>Note: Recusals of Board/EC members from discussions and votes of specific applications due to a conflict will be documented.</i></p>	<ul style="list-style-type: none"> The BOD/EC member has provided a letter of support as part of the application. The BOD/EC member currently works or has worked with the PI, co-PI or key personnel on other research project(s) in the past 3 years. The PI and/or co-PI is from an institution (or any affiliated location) that the BOD/EC member has an appointment at. The BOD/EC member is currently applying for a job at the institution of the PI and/or co-PI. The PI and/or co-PI is applying for a job at the BOD/EC member’s institution. The BOD/EC member has a recognized scientific disagreement or has a negative relationship (e.g. a professional rivalry) with the PI, co-PI or key personnel. The PI and/or co-PI was (within the past 3 years) or is currently the BOD/EC member’s student, advisee or mentee.

	<ul style="list-style-type: none">• The BOD/EC member, or his/her immediate family, currently receives, or within the past 12 months has received, medical care from the PI, co-PI or key personnel.• The BOD/EC member has provided technical assistance (e.g. assisted with preparing/submitting the application, provided resources for the application) to the PI, co-PI or key personnel in preparation for submitting an application.• The BOD/EC member is the recipient of a research or travel grant from the applicant's organization.• The BOD/EC member serves as a member of the advisory board for the project under review (if applicable).• The BOD/EC member could receive professional gain or advancement as the direct result of the application funding decision.• The BOD/EC member and PI and/or co-PI currently serve on the same AASM committee or task force.• The BOD/EC member has an indirect financial interest from the PI and/or co-PI or their institution of over \$10,000 in honoraria, stocks, and fees during the last year or during the funding period.
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