

**American College of Allergy, Asthma and Immunology
Conflict of Interest Policy Implementation***

I. Principles of Disclosure

The American College of Allergy, Asthma and Immunology Conflict of Interest Policy, adopted by the Board of Regents on May 2, 2008, establishes the following principles of disclosure:

- A. Any individual involved in an ACAAI activity or decision-making process has an obligation to disclose any conflicting or potentially conflicting personal, professional or business interest he or she may have, directly or indirectly, with the affected activity or decision. Potentially conflicting interests may relate to ACAAI's programs or services (e.g., educational courses) or its operations (e.g., contracts with third parties).
- B. Disclosure under the Policy should not be construed as creating a presumption of impropriety or as automatically precluding someone from participating in an ACAAI activity or decision-making process. Rather, it reflects ACAAI's recognition of the many factors that can influence one's judgment and a desire to make as much information as possible available to other participants in ACAAI-related matters.
- C. The Board of Regents or its designee(s) are responsible for determining, based on the Conflict of Interest Disclosure Form and other relevant information, whether an individual engaged in, or about to engage in, an ACAAI-related activity or other matter under consideration, has an actual, potential or apparent conflict of interest requiring a response by ACAAI.

II. Participants' Disclosure Obligations

A. Scope

Although individuals involved in ACAAI activities or decision-making processes have a general obligation to disclose conflicting or potentially conflicting personal, professional or business interests, the following guidelines should assist participants in determining exactly what information needs to be disclosed:

- Participants are required to report those interests or relationships that reasonably involve the interests of ACAAI or the field of allergy, asthma, and immunology.

** Although this document is intended to address many of the questions that are likely to arise in the course of complying with and interpreting the Conflict of Interest Policy, it is inevitable that certain issues have not been covered. Under those circumstances, the Board of Regents and its designee(s) will use their best judgment in interpreting and applying the Policy.*

- Participants should completely and accurately disclose the information requested. The Board of Regents or its designee(s) determine the significance of the disclosure, whether an actual, potential, or apparent conflict may exist, and the appropriate response. In other words, individual participants are not expected to make an assessment as to the “significance” of any conflicts they may have.
- Initially, a participant’s obligation to report actual, potential or apparent conflicts is discharged by reporting information requested on the Conflict of Interest Disclosure Form, as well as any additional information reasonably requested by the Board or its designee(s). Participants remain under a continuing obligation, however, to report such conflicts as they arise, including those that were not reported on the Disclosure Form, but which later become relevant to the ACAAI activity or decision-making process in which they are involved.
- In general, participants should err on the side of disclosure if in doubt as to whether it is required under the Policy. If a participant is concerned that an interest may present a conflict, but the interest is not covered by his or her responses to the Disclosure Form, the participant should raise the issue with the individual(s) responsible for determining eligibility to participate in the activity.
- “Indirect interests,” such as investments in mutual funds, blind trusts or the like are specifically excepted from the Policy’s general requirement to disclose investments of \$25,000.00 or more in a publicly-traded company. They need not be reported.
- Participants should report not only their current and past (within three years) consulting arrangements, but also any commitments they are exploring or have made for the future. Although services have not yet been performed, the fact of the engagement raises possible conflict of interest issues.
- Participants should disclose not only their own interests or relationships, but also those of their spouse or minor children. In addition, a participant should disclose interests or relationships held by others that may affect their decision-making, but only to the extent they are aware of such information. Participants are under no obligation to determine the nature of every interest held by a sibling, business associate, etc. if they have no independent knowledge of such interests. If the interest is so “public,” however, that the participant should have known about it (e.g., a sibling sits on the Board of Directors of a publicly-traded company), the participant will be presumed to have knowledge of the interest and is expected to disclose it.

B. Timing

In addition to understanding the nature of the information they are required to disclose, participants also should be familiar with ACAAI's policies regarding the appropriate time for making such disclosures. Specifically:

- Candidates for elective office in ACAAI proposed by the Nominating Committee must submit the Conflict of Interest Disclosure Form along with their Applications for Officer or Board of Regents positions. Appointees to ACAAI committees and other liaison positions must complete the Disclosure Form prior to confirmation of their appointment.
- Authors, speakers, and others offering products or services to ACAAI may be required to complete a Disclosure Form before an agreement between them and ACAAI may be executed.
- Although a participant's initial reporting obligation is discharged by the completion of the Disclosure Form and provision of any necessary follow-up information, participants remain under a continuing obligation to report in a timely fashion actual, potential or apparent conflicts as they arise.
- Individuals elected to serve on the Board or appointed to committees are not expected to anticipate all the conflict situations that may arise during the course of their service. If, however, during their term, individuals are asked to consider a matter that could affect, directly or indirectly, an entity in which they have a financial or other interest, they have an obligation to disclose the potential conflict to the Board, or its designee(s), before undertaking any further consideration of the matter.

C. Submissions

Participants should submit completed Conflict of Interest Disclosure Forms to the ACAAI Executive Office by regular or overnight mail, to the attention of the ACAAI Executive Director. In the alternative, Disclosure Forms may be sent by electronic mail to rickslawny@acaai.org.

Disclosure Forms will be kept on file at the ACAAI Executive Office for a period of two (2) years, or one (1) year after the conclusion of the relevant activity or decision-making process, whichever is longer, unless otherwise determined by the Board.

III. Interpretation of and Response to Conflicts

A. Interpretation

The Board of Regents has designated the Executive Committee as the ACAAI Conflicts Administrator. The Conflicts Administrator shall be responsible for receiving Conflict of Interest Disclosure Forms and determining the appropriate action to be taken in response to participants' disclosures of actual, potential or apparent conflicts of interest. In its discretion, the Conflicts Administrator may call upon certain officers, directors, committee chairs or other advisors to assist it in assessing the significance of a given interest or relationship to ACAAI or allergy, asthma, or immunology.

Prospective participants may appeal a determination of the Conflicts Administrator to the Board of Regents in the event the proposed action would result in the individual's complete recusal from participation in a particular matter, replacement in the affected position or activity, or such other action that would involve a substantial hardship for the affected individual.

In all cases, only disinterested directors, committee chairs, etc. will be eligible to participate in interpreting and applying the Policy.

B. Nature of ACAAI Responsive Action

As set forth in the Conflict of Interest Policy, the Board – or the Conflicts Administrator as its designee – may require any action(s) it deems appropriate in response to an actual, potential or apparent conflict of interest, including, without limitation, the following:

- Disclosure of the interest or relationship to other participants in the decision- or policy-making body (e.g., committee).
- Broader disclosure of the interest, in writing and/or orally, e.g., to an audience at scientific or educational sessions.
- Recusal from voting on a matter and limitation of the individual's participation only to the provision of factual information of benefit to the group discussion.
- Complete recusal from a portion of a meeting or from other consideration of the subject matter.
- Replacement of the individual in the affected activity or position.

A determination of eligibility to participate in an ACAAI activity or decision-making process is not necessarily a decision that the individual has “no conflicts,” only that any such conflicts are not deemed significant enough to require the individual’s recusal or replacement.

In order to protect the integrity of the subject activity, the Board may establish a policy requiring members of certain committees to report on conflicts annually, at the start of each meeting, or according to some other defined schedule. Under those circumstances, participants who have answered one or more questions on the Disclosure Form in the affirmative have an obligation to disclose the existence of their interests or relationships to the other committee members as prescribed.

Where the Board has not formally established a reporting procedure, the Conflicts Administrator may nonetheless require one or more individuals to disclose their interests or relationships to others involved in the affected activity or decision-making process.

C. Confidentiality

As a general matter, individual Conflict of Interest Disclosure Forms will not be made available to ACAAI members or to others. There are individuals, however, with whom the Disclosure Forms may be shared and/or information regarding the existence of individuals’ interests or relationships may be disseminated.

Specifically, the Conflicts Administrator will review each Disclosure Form to determine whether any action must be taken to disclose a potentially conflicting interest or to limit an individual’s participation in an ACAAI activity or decision-making process. As stated above, circumstances may exist where the Conflicts Administrator believes it is appropriate to solicit assistance from others. In addition, the Conflicts Administrator may determine that information from the Disclosure Form should be shared with other involved parties. Finally, as the Conflict of Interest Policy and Disclosure Form make clear, there may be circumstances requiring further disclosure of an actual, potential or apparent conflict of interest (e.g., at a scientific or educational session; in a footnote to an article in an ACAAI publication).