



## American Academy of Neurology Policy on Conflicts of Interest

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### I. Definition

A member of the American Academy of Neurology (Academy), serving as an officer, committee member, teacher, author, consultant, or other position of official responsibility or leadership, has a conflict of interest if that member has a private interest that may interfere with the member's official responsibilities to either organization.

### II. Importance

Conflicts of interest are a matter of concern for the Academy. Members serving in official capacities have a fiduciary duty to exercise impartial judgments for the best interests of the Academy and its members. The presence of a private interest may impair their ability to exercise competent judgment and objectivity in their official capacity. A perceived conflict also diminishes the confidence of members and the public in the quality of the organizations' products and operations.

### III. Examples

Conflicts of interest include these examples: 1) members serving as committee members who are, or within the past five years have been, employed or retained in any capacity by a company doing business with the Academy; 2) members speaking at Academy meetings who are, or within five years have been, employed or retained by companies related to the topic of their presentation; 3) members or their immediate families who hold significant economic interests in companies with which the Academy conducts business; and 4) members employed or retained by industry who are in a position to influence other members through educational presentations that may benefit the industry.

### IV. Resolution of Conflicts

Conflicts of interests can be resolved or lessened through several strategies.

A. Avoidance. Serious conflicts should be avoided altogether by members in official capacities by not participating in situations in which there is a serious conflict of interest.

B. Withdrawal. Members with serious conflicts wishing to retain their official Academy responsibility can divest the conflicting interest or withdraw from the conflicting relationship.

C. Disclosure. Members with potential conflicts should disclose them fully to responsible Academy officials. Disclosure does not eliminate the conflict but mitigates it insofar as it permits others to become aware of the conflict, to monitor the member's performance, and to consider its effect when interpreting the member's official judgments. Disclosure is the appropriate remedy for mitigating most instances of conflicts of interest.

### V. Disclosure Statement of Conflict of Interest

Disclosure of conflicts of interest to responsible officials of the Academy is an ethical responsibility of the member having the conflict. The Academy board of directors has the ultimate responsibility of determining what limitations or actions may be necessary to protect the organizations. If a member is uncertain whether a conflict of interest exists, it is better to err on the side of disclosure. At the beginning and midpoint of each member's term of service on the Board of Directors or term as a presidential appointee and before each member gives an educational presentation at an Academy meeting, the member must complete or update an appropriate disclosure form. The member must also

update the disclosure statement if a change in personal circumstances causes the previously-submitted disclosure to be no longer correct. The boards have approved the disclosure form in the appendix.

**VI. Administrative Review and Action on Disclosure Statements**

A. The following table explains who is responsible for promptly reviewing submitted conflict of interest disclosure statements:

<b>Members Submitting Disclosure Statements</b>	<b>Reviewing Authority</b>
Board of Directors (including Executive Director)	President
President	Board of Directors
Appointees to outside organizations	President
Editor-in-Chief of Academy publications and website	Academy President
Associate editors of Academy publications and website	Editors-in-Chief
Chairs of committees and task forces	President
Members of committees and task forces	Chairs of committees and task forces
Chairs of subcommittees and workgroups	Chairs of committees
Members of subcommittees and workgroups	Chairs of subcommittees and workgroups
Education program directors and faculty	Chair, Education Committee
Scientific program directors	Chair, Science Committee

The Reviewing Authority can take one of three possible courses of action with respect to each statement in which a conflict is acknowledged:

1. There is no serious conflict. No action, short of appropriate disclosure, must be taken. This is the most common action.
2. There is a serious conflict. The member must be removed from the official Academy capacity, must divest the conflicting interest, or must withdraw from the conflicting relationship. Disclosure alone is insufficient to handle the conflict.
3. There is an intermediate conflict. The presence of such a conflict is compatible with concurrent maintenance of the member’s official Academy capacity and the conflicting interest or relationship. The situation should be monitored carefully and appropriate disclosure made.

B. Any disagreement between a member and the Reviewing Authority may be submitted to the Executive Committee for resolution. The Executive Committee may consult with the Ethics, Law and Humanities Committee concerning any submitted dispute.

C. Copies of conflict of interest disclosure statements will be provided to the chairs of committees and subcommittees on which the member serves at the beginning of each committee term.

D. Statements of conflicts should be publicized appropriately, by incorporating them into published and spoken Academy presentations.

E. Academy committees and editors-in-chief may, after first giving notice to the appropriate executive committee, adapt the disclosure statement to best fulfill their mission.

**VII. Organizational Conflicts with Industry and Institutions.**

A. A complex set of conflicts may accompany relationships of the Academy with private industry and other institutions. This policy seeks to recognize and protect the benefits of these relationships while avoiding conflicts of interest that may arise. The Academy has functioning policies in several areas where these relationships exist. To reduce possible conflicts of interest, all such relationships should be bound by the following principles:

1. Gifts from industry should be made as unrestricted grants, or any restrictions should be negotiated with Academy officials using the following principles.

2. The Academy should remain independent from commercial sponsors in all substantive program areas by retaining unconditional control of program planning, financing, faculty selection, editorial control, and content.
3. The Academy should ensure balance, objectivity, and scientific accuracy in programs with commercial sponsorship.
4. The individual Academy members producing a program with commercial sponsorship should not benefit materially in any way if such benefit is directly related to their involvement in the program.
5. The Academy should make full disclosure to program participants and the public of industry support and financial relationships.
6. The Academy should retain full control over the methods used to acknowledge industrial support.

### **VIII. Nonmember Conflicts**

The Academy recognizes the important role played by nonmembers of the Academy committees and subcommittees, including service as consultants and staff assistants. At the same time, however, the Academy seeks to avoid conflicts of interest that arise in this relationship, particularly in situations in which nonmembers are employed by firms that have financial interests in Academy affairs, decisions, policies, or products. To minimize these conflicts, the following guidelines should be followed:

1. Nonmembers may serve in clearly defined roles on Academy committees at the invitation of the committee or subcommittee chairs. Committee and subcommittee chairs have the responsibility for considering potential conflicts of interest that may arise in such relationships and of executing the provisions of this policy.
2. When conflicts of interest arise, such as when a consultant from industry provides data that concerns the industry's product to an Academy meeting, committee and subcommittee chairs should restrict the nonmember's role to providing information and answering questions. Nonmembers should not participate in policy formulation or voting. All substantive decision making should be conducted in executive session with the nonmembers absent.
3. Committee and subcommittee chairs should be careful not to share Academy proprietary information with nonmember participants because possessing such "inside information" may permit their firms to derive an unfair competitive advantage in seeking Academy contracts or other benefits.
4. Observers attending committee and subcommittee meetings purely for educational purposes and who have no conflicts of interest may attend the entire meeting at the discretion of committee or subcommittee chairs.

#### **Policy History:**

Initially approved by the Academy Ethics and Humanities Subcommittee April 13, 1997; approved by the Academy Practice Committee August 24, 1997; approved by the Academy Board of Directors October 4, 1997, and published in *Neurology* (1998;50:332-334). Amended by the Academy Executive Committee on February 21, 2008; ratified by the Academy Board of Directors on March 7, 2008 (AANPA Policy 2008-05). Further amended by the AANPA Executive Committee on December 11, 2008 (Policy 2008-21).

The General Counsel has edited this policy to reflect the name change (i.e., American Academy of Neurology ~~Professional Association~~) and sole membership in the American Academy of Neurology (but not the American Academy of Neurology Institute), effective December 6, 2010.

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**Please read this carefully as there are new requirements and major changes on this form.**

The Board of Directors of the American Academy of Neurology (Academy) has adopted a Policy on Conflicts of Interest, which requires all elected officers, presidential appointees, and designated others to complete this Disclosure Statement. This Disclosure Statement will be reviewed in accordance with the process described in the Policy on Conflicts of Interest.

Elected officers and presidential appointees will be requested to annually update this Disclosure Statement. However, this Disclosure Statement should be promptly updated and re-submitted if any answers provided in the Statement are no longer correct.

### **Relationship Disclosure**

The following questions address financial interests or other relationships in which you or members of your immediate family have received compensation for such things as salaries, ownership, equity positions, stock options, royalties, consulting fees, expert witness fees, honoraria for speaking, grants, research support, materials support, speakers bureau fees, advisory board fees, editor-related fees, royalties, or related financial arrangements. For the purpose of this Disclosure Statement, "personal compensation" includes money or payments in kind.

1. Within the past year did you receive, or in the next year do you anticipate receiving, personal compensation from any commercial entity (for-profit business) for employment, consulting, serving on a scientific advisory board, speaking, or other activities? If yes, describe the relationship(s), including the name of the commercial entity and the type of relationship:  Yes  No
  
2. Within the past year did you receive, or in the next year do you anticipate receiving, personal compensation for serving as a journal editor, associate editor, or member of an editorial advisory board? This may include a journal published by your national medical/scientific organization. If yes, describe the relationship(s), including the name of the commercial entity and the type of relationship:  Yes  No
  
3. Within the past year did you receive, or in the next year do you anticipate receiving, any type of compensation, including stock, stock options or expense compensation for serving on a board of directors for a commercial entity (for-profit business)? If yes, describe the relationship(s), including the name of the commercial entity and the type of relationship:  Yes  No
  
4. Within the past year did you receive, or in the next year do you anticipate receiving, license fee payments, royalty payments or contractual rights to receive future royalty payments from technology, or inventions that have been licensed or sold? If yes, describe the relationship(s), including the name of the commercial entity and the type of relationship:  Yes  No

5. Within the past year did you or any of your immediate family hold, or in the next year do you anticipate holding, stock or stock options greater than five percent of the company or greater than \$10,000 in value (whichever dollar value is lowest) in a company sponsoring research with which you were involved as an investigator? (This excludes investments in mutual funds held by you or your dependents.) If yes, describe the relationship(s), including the name of the commercial entity and the type of relationship:  Yes  No
6. Within the past year did you or any of your immediate family hold, or in the next year do you anticipate holding, stock or stock options greater than five percent of the company or greater than \$10,000 in value (which ever dollar value is lowest) in a company whose medical equipment or other materials related to the practice of medicine? (This excludes investments in mutual funds held by you are your immediate family.) If yes, describe the relationship(s), including the name of the commercial entity and the type of relationship:  Yes  No
7. Within the past year did you receive, or in the next year do you anticipate receiving, research support from any commercial entity? If yes, list the name of the sponsor(s) and the type of project supported (This excludes investments in mutual funds held by you or your dependents.)  Yes  No
8. Within the past year did you receive, or in the next year do you anticipate receiving, personal compensation for litigation consultations, expert witness testimony (including the preparation of an affidavit), or medical record review? If yes, describe the professional services.  Yes  No
9. Within the past year did you receive, or in the next year do you anticipate receiving, grants, personal compensation or any other support for federal foundation, patient advocacy or other for-profit or nonprofit entity? If so, describe the grants, compensation or support.  Yes  No

Comments:

Name (Please print): \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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