

## 15.01.03.D1 Financial Conflicts of Interest in Sponsored Research



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Revised: April 15, 2015

April 27, 2018

July 15, 2020

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### Rule Summary

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Texas A&M University-Central Texas (A&M-Central Texas) is committed to conducting research and educational activities in a manner consistent with the highest standards of integrity and ethics. This rule is adopted to promote objectivity in research and to ensure that the research and educational activities are conducted in a manner free from bias resulting from financial conflicts of interest.

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### Rule

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#### 1. APPOINTMENT OF CONFLICT OF INTEREST OFFICIAL

The President appoints the Controller/Director of Accounting or his or her designee as the Conflict of Interest Official (COI Official) for A&M-Central Texas. The COI Official shall perform the duties established in System Regulation *15.01.03, Financial Conflicts of Interest in Sponsored Research*, and in this rule that relate to the review of financial interest disclosures and the management and reporting of financial conflicts of interest.

#### 2. DISCLOSURE AND REVIEW

Each Investigator shall submit Financial Disclosure Statements to the A&M-Central Texas COI Official as required in System Regulation *15.01.03* and federal laws.

2.1 The COI Official will review all financial disclosure statements by Investigators and determine whether any disclosed Significant Financial Interest (SFI) is related to the Investigator's research and whether a Financial Conflict of Interest (FCOI) exists; the COI Official may request additional information or documents if needed to make the determination. If an FCOI exists, the COI Official will develop a Management Plan specifying the actions that will be taken to manage, reduce, or eliminate the FCOI. All FCOIs identified by the COI Official will be satisfactorily managed, reduced or eliminated prior to the expenditure of any sponsored research funds. For PHS-funded research, the COI Official will comply with all relevant certification and agreements and will submit all necessary reports to the appropriate federal funding agency. The same

FCOI rules apply to any subrecipient working on research with a university investigator. Investigators who disagree with the findings of the COI Official may appeal to the CEO of A&M-Central Texas or designee within 10 business days.

- 2.2 In accordance with System Regulation *15.01.03*, the COI Official may appoint a Conflict of Interest Review Committee (CIRC) to assist in the determination of whether an FCOI exists. If the COI Official appoints a CIRC, the CIRC must be composed of Investigators representing a cross-section of disciplines and at least one research administrator. The COI Official and/or CIRC may involve the Investigator to assist in determining whether an SFI is related to the Investigator's Research or Research Activities. The System Ethics and Compliance Officer and/or the Office of General Counsel may be consulted as appropriate.

### 3. MONITORING

Each Investigator conducting research under a Management Plan shall comply fully and promptly with the Management Plan. The COI Official shall be responsible for conducting periodic reviews of Financial Disclosure Statements and Management Plans to determine individual and institutional compliance. The COI Official shall report instances of noncompliance as required in System Regulation *15.01.03* and federal law and will follow the required procedures to review the investigator's research activities. All records related to financial disclosure statements and FCOI determination will be maintained by the COI Official as stipulated in system regulations and must be made available for audits as requested.

### 4. TRAINING AND CERTIFICATION

Investigators shall complete training as required in System Regulation *15.01.03*. In addition, each Investigator shall annually certify that the Investigator is aware of and has read System Regulation *15.01.03* and this rule and is aware of the Investigator's responsibilities regarding disclosure of SFIs and applicable federal regulations.

### 5. PUBLIC ACCESSIBILITY

- 5.1 The COI Official shall ensure that this rule is available through a publicly accessible website.

- 5.2 PHS-funded Research

If the COI Official determines that a Financial Conflict of Interest exists that is related to PHS-funded research, the COI Official will make the following information available to the public through the A&M-Central Texas website:

- (a) The name of the Investigator;
- (b) The title and role of the Investigator in relation to the affected research;
- (c) The name of the entity in which the SFI is held;
- (d) A description of the SFI that was determined to be an FCOI; and

- (e) The approximate dollar value of the SFI. If the dollar value cannot be determined by reference to publicly available prices or another reasonable method, the system member shall include a statement to that effect. Dollar values may be provided within ranges, e.g., \$0-\$4,999; \$5,000-\$10,000; \$10,000-\$20,000; \$20,000-\$50,000; \$50,000-\$100,000. Amounts over \$100,000 may be stated in increments of \$50,000.

The COI Official shall ensure that the information posted to the A&M-Central Texas website complies with federal law and System Regulation *15.01.03*.

### 5.3 Non-PHS-funded Research

For all public information requests related to non-PHS funded research, the COI Official shall coordinate with the Public Information Officer to ensure that responses to requests comply with Texas Government Code, Chapter 552.

## 6. OTHER CONSIDERATIONS

In addition to the issues addressed in System Regulation *15.01.03* and this rule, there may be other ethical considerations that are separate and distinct from conflict of interest questions, including but not limited to those relating to external employment and conflict of commitment. The primary responsibility of employees of A&M-Central Texas is the accomplishment of the duties and responsibilities assigned to the employee's position of appointment. External consulting or other outside employment should not interfere with those duties and responsibilities as set forth in system policies and related regulations.

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## Related Statutes, Policies, or Requirements

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42 C.F.R. Part 50, Subpart F

[45 C.F.R. §§ 74.53\(b\), 92.42\(b\) and Part 94](#)

[21 C.F.R. Parts 54, 312, 314, 320, 601, 807 and 812](#)

[Texas Government Code, Ch. 552](#)

[National Science Foundation Grant Policy Manual, Chapter V, §510, eff. July 1, 2005](#)

*Supplements:*

System Policy *15.01, Research Agreements*

System Regulation *15.01.03, Financial Conflicts of Interest in Sponsored Research*

*Cross reference:*

System Policy *07.01, Ethics*

System Policy 31.05, External Employment and Expert Witness

System Regulation 31.05.01, Faculty Consulting and/or External Professional Employment

System Regulation 31.05.02, External Employment

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## **Definitions**

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Definitions of terms used in this rule are found in System Regulation *15.01.03*.

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## **Contact Office**

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Director of Business Affairs and Controller  
(254) 519-5766