CONFLICTS OF INTEREST AND CONFIDENTIALITY OF THE IACUC

Policy:

Federal regulations do not permit an Institutional Animal Care and Use Committee (IACUC) member to participate in the review of research in which he/she has a conflicting interest, except to provide information requested by the IACUC. This requirement helps to ensure that financial or other personal interests do not compromise the welfare of animals used in research or the objectivity of the IACUC review process.

For committee members and program consultants to adequately evaluate the humane and ethical use of vertebrate animals in the University's research and teaching/training programs, an environment of free and open exchange of information is required. The committee members may be exposed, verbally, visually, or in writing, to material, data, discoveries, ideas, and other information that may be considered Proprietary, Confidential, or Privileged. To protect the integrity of the institution and its researchers, IACUC members must not:

a) Disclose confidential or proprietary information (protocol or investigator-specific information) to any non-IACUC member or,
b) Discuss or disclose any details of IACUC business (e.g., protocol reviews, non-compliance discussion, subcommittee investigations or reviews, etc.) to third parties without the consent of the IACUC Chair/designee.

This policy describes when IACUC members are considered to have conflicts of interest and the procedures that must be followed for disclosure and IACUC review of research when such conflicts exist, and establishes a mechanism by which IACUC members, and any non-member granted access to IACUC review-related materials, are duly responsible for legally protecting the University's faculty and business research and teaching/training interests.

Procedure for Conflict of Interest:

Conflicts of interest must not compromise the welfare of research animals or the integrity of the research review process. Federal animal care and use regulations do not provide flexibility in the management of an IACUC member's conflicting interest. Specifically, **the regulations require that IACUC members must not participate in the review of research in which they have a potentially conflicting interest**, except to provide specific information requested by the IACUC.

When an IACUC member has a conflict of interest, the member should notify the IACUC Chair and/or IACUC Administrative Office. Any conflicted member cannot participate in the IACUC review or approval except to provide information, if requested by the IACUC. If the Chair is the member with the conflict of interest, he/she must notify the Vice-Chair and/or Administrative Office of the IACUC of the conflict of interest. Members who have a conflict of interest cannot be counted toward a quorum and cannot vote.

Other possible examples of conflict of interest include cases where:

- A member is involved in a potentially competing research program;
- Access to funding or intellectual information may provide an unfair competitive advantage;
- A member's personal biases may interfere with his or her impartial judgment;

- A member has entered into a financial arrangement with the sponsor or agent of the sponsor, whereby the outcome of the study could influence the value of the economic interest;
- A member is part of the research group;
- A member conducting the Scientific Merit Review of the protocol.

Applicants' Responsibility:

- If an applicant submitting a protocol believes that an IACUC member has a potential conflict, the applicant may request that the member be excluded from the review of the protocol.
- The request must be in writing and may be sent via e-mail to the IACUC Office at the time of submission or within 5 business days after the date of submission.
- The request must contain evidence that substantiates the claim that a potential conflict exists with the IACUC member(s) in question.

IACUC Office Action:

- The Chair or Vice-Chair will determine if a conflict exists that would preclude a member from participating in the review and discussion of an application.
- The Chair or Vice-Chair may request input from other IACUC members or call for the IACUC to investigate the applicant's claim of the potential conflict.
- The applicant and the conflicted IACUC member will be notified in writing of the determination.

If it is determined that the potential for a conflict exists, the conflicted IACUC member(s) will be excused from the IACUC review, discussion, and voting. The application will not be distributed to the conflicted member.

OR

If it is determined that the potential for a conflict does not exist, the IACUC member to whom the concern is directed will be allowed to participate in and contribute to the committee discussion on the protocol and vote. The application will be distributed to the member(s). This determination will be conveyed to the applicant prior to distributing the protocol to members of the IACUC.

Appeals:

Appeals may be brought to the attention of the Institutional Official.

Applicable Regulations:

1. Animal Welfare Act (AWA, Public Law 89-544, 7 U.S.C. § 2131 et seq.)
2. Animal Welfare Act Regulations (AWAR, 9 CFR, Chapter 1, Subchapter A, §2.31 (d)(2))
3. Health Research Extension Act of 1985 and Public Health Service (PHS) Policy on Humane Care and Use of Laboratory Animals
4. National Research Council Guide for the Care and Use of Laboratory Animals, Eighth Edition. National Academy of Sciences, 2011 5. The Federation of Animal Science Societies Guide for the Care and Use of Agricultural Animals in Research and Teaching, 2010

Applicable To:

Faculty are responsible for notifying the IACUC office of any potential conflicts of interest present with the review of their protocol. IACUC members are responsible for conflicts of interest and confidentiality as outlined in this policy.

Revisions to the Policy:

This policy is intended to be flexible and readily adaptable to changes in regulatory requirements. It is reviewed as part of the semiannual program reviews to assess its appropriateness. It will be changed as experience shows that a certain approach is not effective or suggests a better alternative. UMKC IACUC has the authority to amend this policy.

Policy Approval:

The UMKC Institutional Animal Care and Use Committee has reviewed and approved this policy.

Created: October 2011
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