

# Policy on Conflicts of Interest (COI) and Industry Relationships

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The American Society of Ophthalmic Plastic and Reconstructive Surgery (ASOPRS) and the ASOPRS Foundation are dedicated to advancing the subspecialty of oculofacial plastic surgery. To accomplish this mission, they provide collective support, directly or indirectly, for a variety of activities in the areas of research, education, public relations, and advocacy.

The integrity of ASOPRS/ASOPRS Foundation, and of the activities they undertake, depends on the avoidance of conflicts of interest, or even the appearance of such conflicts. This includes potential COI by individual members who provide volunteer service to the society/foundation. It is the intent of this document, developed and approved by the Executive Committee (EC), to serve as a guiding statement and position regarding society and volunteer leader relationships with industry.

Concurrently, ASOPRS/ASOPRS Foundation recognize that the elected and appointed volunteer leaders, as well as other individuals acting on their behalf, may also have significant professional, business and personal interests and relationships. Therefore, ASOPRS/ASOPRS Foundation have deemed that the most appropriate manner to address actual, potential or apparent COI is through full disclosure of any relationship or interest which might be interpreted as resulting in such a conflict. Disclosure under this policy does not presume impropriety or automatically preclude someone from participating in an ASOPRS/ASOPRS Foundation activity or decision-making process. Rather, it reflects ASOPRS/ASOPRS Foundation desire for transparency and recognition of the many factors that can influence one's judgment in ASOPRS/ASOPRS Foundation-related matters.

## **Policy and Positions on Industry Relationships**

The ASOPRS EC has approved the following positions regarding the society's relationship with industry:

- A Code of Conduct applies to all ASOPRS members (**Code of Conduct/Anti-Harassment Policy** Appendix A).
- ASOPRS accepts responsibility to monitor and manage conflicts of interest for its volunteer leaders (policy and procedure below).

- An Ethics Committee shall resolve alleged violations of policies related to industry relations and conflicts of interest.
- Support from commercial interests\* in any form, is limited to less than 25% of the society's overall operating budget.
- ASOPRS EC may consider endorsing other organizations or meetings.
- ASOPRS EC will not endorse the products, services, or activities of commercial interests.\*
- ASOPRS accepts money from commercial interests\* for advertisements in *Ophthalmic Plastic and Reconstructive Surgery* Journal and other publications.
- ASOPRS will not accept money from commercial interests\* for development of Practice Guidelines.
- ASOPRS/ASOPRS Foundation will pursue only unrestricted grants to fund general society/foundation endeavors or research. Whenever possible, unrestricted grant funds are pooled.
- ASOPRS logo may not be used by commercial interests.\*
- ASOPRS logo may be used by reciprocal societies and members within stated guidelines of use.
- ASOPRS is accredited by the [Accreditation Council for Continuing Medical Education](#) (ACCME) and produces educational events and content free of commercial influence and bias, in accordance with ACCME guidelines. A separate policy governs the COI of those in a position to control and influence educational content (**Resolution of Conflicts of Interest with CME Educational Content Policy and Procedures**, Appendix B).
- The CME Subcommittee, with Executive Committee oversight, will enforce the **Resolution of Conflicts of Interest with CME Educational Content Policy and Procedures**; the CME Subcommittee may work with the Executive Committee or other oversight committees to enforce and/or resolve violations of the policy.
- ASOPRS accepts money from commercial interests\* for activities associated with the scientific meetings that are clearly commercial (e.g. exhibits, product theaters, advertisements), disclaimed by ASOPRS, and separate from the CME educational content, in a manner that meets ACCME guidelines and preserves ASOPRS accreditation and philosophy on industry relationships.
- ASOPRS will consider unrestricted grants from commercial interests\* to support its scientific meetings if received in a manner that meets ACCME guidelines and preserves ASOPRS accreditation and philosophy on industry relationships.
- ASOPRS allows items bearing a corporate logo to be distributed in the exhibit hall or product theaters only, in association with the scientific meetings. ASOPRS does not allow corporate sponsorship/logos on meeting-related items such as lanyards and bags.

## Policy on Conflicts of Interest

### [Definition of Commercial Interest\\*](#)

ASOPRS defines a commercial interest as any entity producing, marketing, re-selling or distributing health care goods or services consumed by, or used on, patients. Providers of clinical service directly to patients are not considered commercial interests – unless the provider of the clinical service is owned, or controlled by, a commercial interest as defined above.

### Definition of Conflict of Interest

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A conflict of interest is defined as an interest held by a Volunteer Leader that could influence the member or be perceived as influencing the member to act contrary to the interests of ASOPRS/ASOPRS Foundation, and for the member's own personal benefit or for the benefit of an immediate family member or business associate. For purposes of this policy an immediate family member is defined as a member's spouse/partner, children, and parents.

### **Disclosure and Policy Exceptions to Relationships with Commercial Interests**

ASOPRS recognizes the high levels of achievement and integrity of our members who constitute the Society's volunteer leadership, and also recognizes that many members have financial relationships with various commercial interests as part of their professional lives. In general, these relationships do not disqualify members from leadership positions (with certain exceptions as noted below) but they must be disclosed. Each officer, director, trustee, committee chair, committee member, task force chair, task force member, the editor and members of the editorial board of *Ophthalmic Plastic and Reconstructive Surgery* Journal and any others holding volunteer leadership positions (hereafter referred to as Volunteer Leaders) in the ASOPRS/ASOPRS Foundation will disclose all actual or potential conflicts of interest for each year of their service to the society and/or foundation, and for the 12 months prior to their service. In addition, prospective Volunteer Leaders will provide disclosure of COI (current and 12 months prior) to be considered for nomination/appointment to volunteer service.

ASOPRS is committed to ensuring that accredited continuing education serves the needs of patients and the public, is based on valid content and is free from commercial influence. To that end, as of 1/1/2021, the following Volunteer Leaders will not have any financial relationships with commercial interests\* related to oculofacial plastic surgery during their term of service, and 12 months prior:

- Program Chairs
- CME Subcommittee Members

As of 1-1-2022, the ACCME requires anyone in control of educational content to disclose financial relationships with commercial interests within the prior 24 months (increased from 12 months). To uphold our commitment to eliminating bias from these influential roles, as of 1-1-2022, the CME Subcommittee Members will not have any financial relationships with commercial interests related to oculofacial plastic surgery during their term of service and 24 months prior.

Since the ASOPRS Executive Committee has a unique responsibility to guide public health advocacy, government and intersociety liaisons, investment of member resources and finances, and educational programs, the Executive Committee must be especially aware of potential conflicts of interest. Fully disclosed financial relationships with commercial interests are compatible with service on the Executive Committee, except for the following:

As of 1/1/2021, Executive Committee members will not have financial relationships with commercial interests\* during their term of service, and 12 months prior (starting 1-1-2022 since the 2021 EC was elected to office prior to this rule), when that financial relationship includes actively marketing or promoting the goods or services of that commercial interest\* (including, but not limited to, Speakers Bureaus), or include fiduciary obligation that may conflict with their fiduciary obligation to ASOPRS. Fiduciary obligation is defined as the obligation or trust imposed by law on officials of an organization

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making them liable for the proper use and disbursement of the organization's money, funds and property.

### **Duty to Disclose Conflicts of Interest**

In general, participants should err on the side of disclosure if in doubt as to whether it is required under this policy. Examples of relationships with commercial interests\* which should be disclosed include, but are not limited to:

#### I. Relationships with Other Organizations/Entities

Any current, proposed, or within the last 12 months, leadership role in, or other relationship with, another organization (e.g., board member, committee member, advisor, journal editor) directly or indirectly related to ASOPRS/ASOPRS Foundation or oculofacial plastic surgery must be disclosed.

#### II. Employment

Any current, proposed, or within the last 12 months, full- or part-time employment for a commercial interest\* related to oculofacial plastic surgery (other than a university, healthcare clinic, US military, Veterans Administration, or private medical practice) must be disclosed.

#### III. Consultancies

Any current, proposed, or within the last 12 months, consulting arrangements with a commercial interest\* related to oculofacial plastic surgery must be disclosed. This would include situations where services and/or products are exchanged for such consulting arrangements through financial remuneration or equipment and/or supplies.

#### IV. Ownership Interests

Any current, or within the last 12 months, ownership interests (including stock options but excluding indirect investments through mutual funds and the like) in a commercial interest\* related to oculofacial plastic surgery – the stock of which is not publicly traded – must be disclosed. Ownership interests in a commercial interest\* related to oculofacial plastic surgery publicly traded must also be disclosed. In addition, any other ownership interests in an entity having a commercial interest in an activity or matter under consideration by ASOPRS/ASOPRS Foundation, such as educational programs targeting the same or similar audience, must be disclosed.

#### V. Honoraria

Any current, proposed, or within the last 12 months, honoraria or other payments for seminar presentations, speeches, or appearances for a commercial interest\* must be disclosed. Honoraria from academic institutions, non-profit hospital organization, and professional societies do not need to be disclosed.

#### VI. Discounted or Free Equipment

Any current, proposed, or within the last 12 months, value of any discounted or free equipment received from a commercial interest\* must be disclosed.

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## VII. Research Funding

Receipt of public or private funds that are actively being used to conduct research must be disclosed.

## VIII. Patents/Royalties

Patents related to coulofacial plastic surgery must be disclosed. Royalties related to oculo facial plastic surgery products received within the last 12 months must be disclosed. Royalties from books and publications need not be disclosed.

## IX. Other

Any other money or items of value received within the last 12 months from a commercial interest\* must be disclosed. Items of value received for philanthropic purposes such as supplies for medical mission trips do not need to be disclosed.

### **Disclosure Statement**

Volunteer Leaders are required to submit an annual Volunteer Leader Disclosure Form (Appendix C). The EC may amend the content and form of the Volunteer Leader Disclosure Form at any time. Initially, a participant's obligation to report actual, potential or apparent conflicts is discharged by completing the Disclosure Form. Volunteer Leaders 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 ASOPRS/ASOPRS Foundation activity in which they are involved.

### **Determination and Resolution of Conflicts**

The Executive Director and President, and/or Committee Chair will determine when an individual engaged in, or about to engage in, an ASOPRS activity or other matter under consideration has an actual, potential, or apparent conflict of interest requiring some response by ASOPRS.

Should a conflict arise involving the Executive Director, President, or Committee Chair, the Immediate Past President will be asked to take the place of the person with the conflict of interest, to resolve the conflict.

In the case of the ASOPRS Foundation, the Foundation Executive Director and the Chair of the Board of Trustees will determine when an individual engaged in, or about to engage in, an ASOPRS Foundation-related activity or other matter under consideration has an actual, potential, or apparent conflict of interest requiring some response by ASOPRS Foundation. Should a conflict arise involving the Board Chair or Foundation Executive Director, the Secretary will be asked to resolve the matter.

In advance of each Executive Committee and committee/work group meeting, the Executive Director will review all of the disclosures. Relationships that may pose a real or perceived conflict will be discussed with the President or Chair.

Volunteer Leader disclosures will be included in each meeting agenda. At the start of each meeting, the President or Chair will call for conflicts in relation to the agenda, at which time already identified disclosures will be announced, committee members will verbally disclose any changes in their financial relationships, and agenda items requiring recusals are identified.

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In most instances, disclosure of the conflicting or potentially conflicting interest will itself suffice to protect ASOPRS/ASOPRS Foundation's interests. In other words, once such a conflict is fully disclosed to the relevant parties, they generally will be able to evaluate the possible influence of the disclosed interest. In situations where such disclosure does not adequately deal with actual or potential problems, additional action including replacement of the individual in the affected position or activity may be necessary.

**APPENDIX:**

A – ASOPRS Code of Conduct/Anti-Harassment Policy

B – ASOPRS Resolution of Conflicts of Interest with CME Educational Content Policy and Procedures

C – ASOPRS Volunteer Leader Disclosure Form

**REFERENCES:**

Accreditation Council for Continuing Medical Education: [Standards for Commercial Support](#)

American Academy of Ophthalmology: [Code of Ethics](#)

American Academy of Ophthalmology: [Identification and Resolution of Conflicts of Interest](#)

American College of Surgeons: [Conflict of Interest Policy](#)

American Society of Plastic Surgeons Plastic Surgery Foundation: [Policy on Conflicts of Interest](#)

Other Policies reviewed during development:

American Society for Aesthetic Plastic Surgery and Aesthetic Surgery Education and Research Foundation: **Unified Conflict of Interest Policy for ASAPS, ASERF, ASJ and Staff**

American Society for Dermatologic Surgery and American Society for Dermatologic Surgery Association: **Conflict of Interest Policy**

Camilleri, M and Parke, DW: **Perspective: Conflict of Interest and Professional Organizations: Considerations and Recommendations.** Academic Medicine, Vol. 85, No. 1/January 2010

Centers for Medicare and Medicaid Services: [Open Payments](#)

Rothman, DJ et al: **Professional Medical Associations and Their Relationship With Industry.** JAMA, April 1, 2009, Vol. 301, No.13

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