



**Institutional Handbook of Operating Procedures
Policy 06.05.03**

Section: Compliance	Responsible Vice President: Senior Vice President and General Counsel
Subject: Conflicts of Interest and Ethics	Responsible Entity: Office of Institutional Compliance

I. Title

Individual Conflicts of Interest, Conflicts of Commitment, and Outside Activities

II. Policy

This policy is intended to protect the credibility and reputation of the U.T. System, UTMB, and of members of the faculty and staff by providing a transparent system of disclosure, approval, and documentation of employee activities outside UTMB. Disclosure and management of these activities helps to alleviate concerns about conflicts of interest and conflicts of commitment.

This policy must be followed in addition to IHOP 6.5.1 – *Research Conflicts of Interest*, IHOP 6.5.2 – *Ethical Interactions with Industry*, IHOP 6.5.4 – *Institutional Conflicts of Interest*, IHOP 6.5.5 – *Gifts, Honoraria, Fundraising, and Other Activities*, and other IHOP policies where applicable. The primary responsibility of UTMB employees is the accomplishment of the duties and responsibilities assigned to one’s position of appointment. This policy serves to ensure that each employee is free from conflicting interests and commitments when fulfilling the duties related to his or her position. The policy also serves the purpose of ensuring compliance with state ethics laws and Regents’ Rules. Finally, the policy is intended to provide the framework for rules and procedures that will clearly delineate permissible outside activities.

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III. Conflict of Interest Official and Conflict of Interest Committee

Conflict of Interest Official:

The President of UTMB is responsible for overseeing implementation of this policy and may provide additional procedures and supplementary forms, as appropriate, consistent with this policy and applicable federal and state regulations and policies.

The UTMB President shall appoint a Conflict of Interest Official (COIO), who shall report to the UTMB President regarding all conflicts of interest activities. The COIO shall perform the duties required by this policy and other duties as assigned by the President. Service as the COIO is in addition to any other capacities in which the person serves the institution. Additionally, the UTMB President shall establish processes for the review of prior approval forms and conflict of interest disclosure statements, for managing, reducing, or eliminating conflicts of interest, and for resolving disputes related to managing, reducing, or eliminating conflicts of interest.

Conflict of Interest Committee:

Upon recommendation of the COIO, the UTMB President shall appoint a Conflict of Interest Committee (COIC) to meet the duties prescribed in this policy. The COIC shall consist of faculty members and administrators from academic, clinical, and basic science departments; representative from various university areas such as Research Services, UTMB's Human Research Protection Program, Purchasing, Office of Institutional Compliance, and Legal Affairs; and representatives from the local Galveston County community.

The COIC shall meet as necessary to review disclosures and other related issues brought to the attention of the Committee. The COIC shall make recommendations as needed, including the design of management plans in order to manage, reduce, or eliminate identified conflicts of interest and conflicts of commitment.

IV. Prior Approval Requests for Outside Activity

A UTMB employee may not have a direct or indirect interest, financial or otherwise, engage in a business transaction or professional activity, or incur any obligation of any nature that is in substantial conflict with the proper discharge of the employee's institutional duties.

A UTMB employee's activities on behalf of, or substantial interests in, outside entities must not interfere with the fulfillment of the employee's duties and responsibilities to the institution. Such Conflicts of Interest (COI) or Conflicts of Commitment (COC) may arise regardless of the location of these activities (on or off campus), the type of outside entity (individual, for-profit, not-for-profit, or government), or the level of compensation (paid or unpaid).

The following classes of employees are required to adhere to the prior approval requirements contained within this section:

1. All full-time members of the faculty employed on a 12-month or 9-month basis;
2. All full-time exempt employees including, but not limited to administrative and professional employees;
3. Full-time nurses except LVNs and nurse assistants;
4. Nonexempt staff who are authorized to execute contracts on behalf of UTMB or who, because of their job duties at UTMB, have authority to exercise discretion with regard to the award of contracts or other financial transactions;
5. Part-time members of the faculty **only if** the activity reasonably appears to create a conflict of interest;
6. Part-time exempt employees including administrative and professional employees **only if** the activity reasonably appears to create a conflict of interest; and
7. Part-time nurses except LVNs and nurse assistants **only if** the activity reasonably appears to create a conflict of interest.

The following activities require prior approval, except as permitted by the “Activities and Interest that Do Not Require Full Disclosure and/or Prior Approval” section.

1. Any compensated outside employment or other compensated activity (including travel), regardless of whether or not the activity may reasonably appear to create a COI or COC;
2. Any compensated or uncompensated outside activity that may reasonably appear to create a COI or COC;
3. Any compensated or uncompensated activity or service on a board that is being conducted during normal work hours (i.e., on UTMB time); or
4. Any outside board service (see “Outside Board Service” section for exclusions).

Timeliness of Prior Approval Requests:

When possible, employees should submit requests to engage in outside activities no later than 30 days prior to the start date of the activity. Repeated failure to request prior approval in a timely fashion may result in sanctions up to and including termination. In the rare instance that an employee is called upon to assist in an emergency or urgent outside activity where it would be impossible or unreasonable to obtain advance approval, retrospective approval may be available. In such cases, the activity must be fully disclosed and approval must be sought from the appropriate authority as soon as reasonably possible.

Length of Approval:

Regardless of the expected length of the outside commitment, approval is granted for only one (1) year at a time, and renewal is required prior to the end of the currently-approved time frame.

Uploading Contracts via the UT System Database:

If an employee discloses outside employment compensation, including but not limited to salary, retainer, honoraria, intellectual property rights, or royalties, or promised, deferred, or contingent interest, it is strongly encouraged that the employee upload a copy of any related agreement, contract, offer letter, or other documentation to assist in conflict determination and conflict mitigation when necessary.

Employees must provide any relevant agreement that could assist in conflict determination to the Conflicts of Interest Office at its request.

Pre-Approved Activities:

The following activities are “pre-approved,” such that approval need not be obtained prior to engagement in the activity:

1. Activities done on behalf of UTMB for which compensation is received solely from UTMB and no other outside source.
2. Scholarly and academic activities important to the mission of UTMB or important for faculty/staff development. Examples include service on an advisory committee/panel; seminars; lectures; or consulting or teaching engagements done on behalf of and/or sponsored and/or paid for by federal, state, or local government, an institution of higher education as defined by 20 U.S.C. 1001(a), an academic teaching hospital, a medical center, or a research institute affiliated with an institution of higher education.
3. Development of scholarly communications in the form of books or journal articles, movies, television productions, and similar works, even when such activities result in financial gain, consistent with intellectual property and other applicable U.T. System and UTMB IHOP policies and guidelines.

4. Uncompensated service as a committee member, officer, or board member of a professional or scholarly society.

****NOTE: If any of the above pre-approved activities appears to create a conflict of interest and/or conflict of commitment, the employee must seek prior approval for the activity and may be required to enter into a management plan.**

V. **Annual Disclosure of Outside Activity**

In addition to receiving prior approval for certain activities, employees must also disclose certain outside activities and financial interests.

****NOTE: In addition the requirements contained in this IHOP, employees who are engaged in research and are responsible for the design, conduct, or reporting of research should also refer to IHOP 6.5.1 – *Research Conflicts of Interest* for additional Annual Disclosure rules.**

Extent and Content of Disclosure

Full-time faculty, full-time exempt employees, including administrative and professional employees and full-time nurses except for LVNs and nurse assistants, and certain nonexempt employees, are required to disclose the following:

1. A description of the nature and extent of all approved outside employment or other compensated activity regardless of whether it may reasonably appear to create a COI or COC;
2. A description of the nature and extent of all approved uncompensated outside activity but only if it reasonably appears to create a COI or COC;
3. A description of the nature and extent of all approved outside board service regardless of compensation (except those outlined as exceptions in the “Outside Board Service” section below);
4. A description of the nature and extent of any outside (onsite or distance) teaching that is in or related to the same discipline as one’s area of UTMB teaching responsibilities;
5. The range of total annual compensation received for any compensated activity, or total annual compensation from a single entity, if it is greater than \$5,000 and if the activity reasonably appears to create a COI or COC;
6. A description, including the range of compensation or interest, of any substantial interest in a business entity (as defined above) that reasonably appears to create a COI, which should be provided no later than 30 days after acquiring the interest;
7. A description of gifts over \$250 given to you or your immediate family members but only if the gift reasonably appears to create a COI, which should be provided no later than 30 days after acquiring the interest. Do not include gifts received from a parent, child, sibling, grandparent, or grandchild; your spouse or the spouse of anyone mentioned above; or the parent, child, sibling, grandparent, or grandchild of your spouse; and
8. A description of the nature and extent of any activity of immediate family members that reasonably appears to create a COI and a description of any substantial interest of immediate family members in a business entity that reasonably appears to create a COI, which should be provided no later than 30 days after acquiring the interest.

Part-time faculty and part-time exempt employees including administrative and professional employees and part-time nurses except for LVNs and nurse assistants must annually disclose the nature and extent (but not compensation range) of any outside activity and any substantial interest in a business entity (defined above) that may reasonably appear to create a conflict of interest. Part-time employees are not required by this policy to disclose for family members.

Employees shall update this annual disclosure statement on a continual basis as new activities and interests arise and must review and finalize all disclosures after the end of the calendar year during the annual reporting period (January-March of the following year). The activities listed in 1-4 above require prior approval.

Electronic Database:

Disclosure of outside activities and financial interests, documentation of requests for approval, and subsequent approvals shall be maintained for all faculty and exempt staff in a UT System Electronic Database. The UTMB Conflicts of Interest Office will manage UTMB employee disclosures and approvals within the UT System Electronic Database.

Public Display of Information:

Certain disclosed information will be available on a publically-accessible and searchable website for the purpose of fostering a transparent environment with regards to COI and COC. Only the following disclosed information will be available:

1. The nature and extent of an activity, and the range of compensation if over \$5,000, for all **managed** conflicts of interest or conflicts of commitment, unless deemed confidential following procedures developed in accordance with the “Outside Board Service” section below; and
2. All information disclosed by UTMB’s President; and
3. Instructions for gaining access to a copy of any conflict management plan.

****NOTE:** Information regarding family members will not be posted publically.

VI. Outside Board Service

Besides the enumerated exceptions found in the “Outside Board Service” section of this policy, all UTMB full-time faculty and exempt employees must disclose and obtain prior approval before engaging in any service on outside boards.

Compensated Board Service:

All compensated board service and any service to a religious organization (compensated or uncompensated), must be done on an employee’s own time. If the service occurs during normal office hours, the employee must use vacation time, compensatory time, or other appropriate leave, or approved arrangements while providing the service. The service should be without cost to UTMB and, except for service to religious organizations (an exception to disclosure outlined the “Outside Board Service” section below), must be disclosed and approved prior to the employee engaging in such service.

Uncompensated Board Service:

Uncompensated service as a board member of a professional or scholarly society does not require prior approval when done on an employee’s own time. For the purposes of this section, compensation does not include reimbursement for reasonable expenses such as travel, reasonable meals, etc. In any circumstances in which it is unclear whether a payment is “reasonable,” the COI Official or his/her designee shall make the final determination as to the reasonableness of the payment. However, if the employee feels the uncompensated board service provides sufficient benefit to UTMB and wants to perform the board service on UTMB time, the employee must seek prior approval. If the approval authority deems the board service to have sufficient benefit to UTMB, the approval authority may permit the service to be performed on UTMB time.

Uncompensated board service that does not clearly enhance the mission of UTMB and/or provide important elements of faculty or staff development related to a UTMB employee's responsibilities must be done on the employee's own time. If the service occurs during normal office hours, the employee must use vacation time, compensatory time, or other appropriate leave while providing the service.

Finally, certain board service which is primarily personal, rather than professional in nature is allowed without disclosure and prior approval (See the "Outside Board Service" section below for details and examples), as long as it does not require time away from UTMB responsibilities and does not create a COI, COC or the appearance of a COI or COC.

VII. Activities and Interests that Do Not Require Full Disclosure or Prior Approval

Personal Board Service:

UTMB recognizes the diversity of its employees' personal interests and encourages employees to feel free to engage in outside board service that enriches themselves and the communities around them. Therefore, service on an outside board for which the employee's service is primarily personal rather than professional in nature, **and** does not require time away from UTMB responsibilities, is permitted without the requirement of disclosure or prior approval, if the service does not create a COI or COC or the appearance of a COI or COC. Examples of personal board service that, when done on an employee's own time, does not need to be approved or disclosed, includes but is not limited to:

1. Board of a municipality;
2. Local religious congregation;
3. Neighborhood association;
4. Public, private, or parochial school;
5. Political organization;
6. Youth sports or recreation league;
7. Affinity group such as a book club;
8. Social advocacy organization.

Religious Activities:

In order to protect the privacy of employees and their free exercise of religion, any service to a religious organization does not have to be disclosed or granted prior approval, so long as such service is done on an employee's own time. However, service on the board of a religious organization that provides services that UTMB also provides, such as a religious hospital or academic institution, requires prior approval and must be disclosed.

Retrospective and Prospective Approval:

Prior approval may be bypassed in rare instances when an employee is called upon to assist in an emergency or urgent situation where it would be impossible or unreasonable to obtain advance approval. In such cases, the activity must be fully disclosed and approval sought as soon as reasonably possible through the UT System Electronic Database.

Some activity may also be prospectively approved, for up to one (1) year, when an individual discloses to the approving authority as fully as reasonably possible, the general nature and extent of anticipated, but not confirmed outside opportunities.

Confidential Outside Activities:

If an individual wishes to engage in an activity for which some or all of the relevant information is confidential, the approving authority may nonetheless approve the activity without requiring full written disclosure upon satisfaction that:

1. there is a legal justification for treating the information confidentially (e.g., third party proprietary information, classified government work, etc.); and
2. the activity is otherwise fully compliant with this policy and all other applicable laws and UTMB and U.T. System policies.

If you feel your activity may be considered confidential, please contact the Conflicts of Interest Office.

VIII. Review/Approval Process and Guidelines on Amount and Categories of Permissible Outside Activities

Approval Process:

When possible, the employee requesting approval should log on to the UT System electronic database website at least thirty (30) days prior to the start date of the activity. Once the employee electronically submits a prior approval form, the form will be electronically routed to the Conflicts of Interest Office for initial determination of whether the activity is permissible under this and other applicable IHOP policies and whether the activity reasonably appears to create a conflict that requires a management plan. If the activity is deemed impermissible, the employee will receive notice in writing that his or her request for approval has been denied. The employee may then appeal pursuant to the "Appeals" section below. If the Conflicts of Interest Office deems the activity permissible or permissible with a management plan (see below for management plan process), the prior approval form will be electronically routed to the employee's supervisor for ultimate approval or denial. If the activity is found to be permissible by the Conflicts of Interest Office but is denied by the employee's supervisor, the employee may appeal pursuant to the "Appeals" section below.

Management Plans:

Should the Approval Authority determine that a COI or COC exists; the COIC, in conjunction with the employee, shall develop a management plan that must be signed by the employee. This management plan shall be in effect within thirty (30) days of the manageable conflict determination. A management plan may impose any condition and prescribe any action necessary to manage, reduce, or eliminate a financial conflict of interest to ensure that the employee is free from bias or the appearance of bias when fulfilling his/her institutional duties.

Amount and Categories of Permissible Outside Activities for Full-time Faculty:

Members of the faculty have flexibility in using their time to prepare for teaching and engaging in research and other scholarly activity. Other responsibilities, such as presenting lectures, being available to meet with students, and participating in university committees, have more rigid time demands. During the academic term in which a faculty member holds a full-time appointment, the faculty member must attend to all his or her duties and responsibilities and meet the minimum academic workload requirements, but may be permitted to engage in an average of twenty-six (26) days of approved outside activity each 12 months, so long as the activity does not reasonably appear to create a COI, does not interfere with the faculty member's UTMB duties and responsibilities, and clearly contributes to the mission of UTMB or provides important elements of faculty professional development related to the faculty member's UTMB duties and responsibilities. This 26-day threshold may only be exceeded with explicit written approval from the UTMB Provost.

Activities that Clearly Contribute to UTMB's Mission:

The following are types of full-time faculty activity that clearly contribute to the mission of UTMB and may be performed on UTMB time within the 26-day threshold mentioned above and without needing formal prior approval or disclosure so long as they do not reasonably appear to create a COI or COC and after an appropriate departmental leave request or other documentation has been submitted:

1. Scholarly and academic activities important to the mission of UTMB or important for faculty/staff development. Examples include service on an advisory committee/panel; seminars; lectures; consulting or teaching engagements done on behalf of and/or sponsored and/or paid for by federal, state, or local government, an institution of higher education as defined by 20 U.S.C. 1001(a), an academic teaching hospital, a medical center, or a research institute affiliated with an institution of higher education.
2. Development of scholarly communications in the form of books or journal articles, movies, television productions, and similar works, even when such activities result in financial gain, consistent with intellectual property and other applicable U.T. System and UTMB IHOP policies and guidelines.
3. Service as a committee member officer, or board member of a professional or scholarly society.

Other Activities:

Faculty members may also engage in activity that does not necessarily contribute to the mission of UTMB or provide elements of faculty professional development related to their UTMB duties and responsibilities, so long as the activity does not reasonably appear to create a COI or COC with the faculty member's UTMB duties and responsibilities. Any such activity **must take place only on non-UTMB time**, without use of UTMB resources, and must be disclosed and approved as required by this policy.

Not Permissible: Speaker's Bureaus:

Marketing and training programs designed solely or predominantly for sales, marketing, or promotional purposes. They include industry-sponsored speaking engagements typically referred to as "speakers bureaus" (i.e., contractual relationships to give talks in which the topic(s) and/or content are provided by the company) that are solely or predominately promotional in nature. Faculty members must retain full control and authority over professional material the faculty member presents. Such communications or presentations may not be subject to approval by any commercial interest other than approval for the use of proprietary information.

Dollar Limits Above Which a Conflict of Interest Reasonably Appears to Exist:

Per Event: In order to comply with ethical norms regarding fair market value, full-time faculty and full-time administrative and professional employees may not accept more than \$5,000 in income in the form of compensation for services lasting one (1) day; \$10,000 for services lasting two (2) days; or \$15,000 for services lasting three (3) or more days, per event, per entity, provided that at no time the fees accepted exceed the fair market value of the services provided. These daily limits apply to contractual relationships to speak, present or consult at conferences or meetings. This provision only applies to financial relationships that could reasonably be related to the employee's institutional responsibilities.

Per Year: Full time faculty and full-time administrative and professional employees may not accept income for services in the form of compensation amounting to more than 50% of their total base salary in any 12-month period from all outside entities; or more than 25% of his/her total base salary in any 12-month period from a single outside entities. This provision only applies to financial relationships that could reasonably be related to the employee's institutional responsibilities.

****NOTE:** These thresholds may only be exceeded when explicit, written permission is given by a designated UTMB Executive Vice President.

Employee Retention of Permissible Fees/Honoraria:

If a UTMB employee is asked to present at a conference/seminar and is paid a permissible honoraria/fees, the honoraria/fees may be retained by the employee provided that: (a) the travel expenses were paid or reimbursed by an individual or entity other than UTMB; and (b) the activity is scholarly or academic in nature and is important to the mission of UTMB or important for faculty/staff development and meets the other requirements of this policy. Otherwise, the honoraria/fees must be given to UTMB to offset institution expenditures.

IX. Use of University Property

Use of UTMB property, including UTMB's name and logo, for any outside activity must be explicitly approved in writing by certain UTMB offices/departments and the COIO and/or COIC. UTMB property may only be used for State purposes appropriate to UTMB's mission. To obtain such prior approval, please email the details of the property to be used and the purpose for its use to the Conflicts of Interest Office at coi.in@utmb.edu.

X. Education and Training

Approval authorities and members of the COIC responsible for approving and managing outside activities and interests shall receive comprehensive training on policies and procedures. Training will also be available for any employee required to disclose or receive prior approval under this policy. This policy as well as other relevant Institutional conflicts of interest and conflicts of commitment policies shall be distributed annually to all employees.

XI. Rescinding Approvals

The COIC may rescind an approved outside activity upon receipt of information indicating that the activity is not consistent with this policy or any applicable law or UTMB or U.T. System policy. The individual for whom the activity may be rescinded shall be given notice in writing of the information and an opportunity to respond in an expedited appeals process involving the Conflicts of Interest office and the COIO.

XII. Enforcement and Compliance

Disclosure is a Condition of Employment or Relationship to Institution:

Making timely, complete, and accurate annual disclosures or requests to engage in outside activities, consistent with this policy, is a condition of employment at UTMB. An employee who does not comply with this policy, including but not limited to failure to file or knowingly filing an incomplete, erroneous or misleading request or failure to comply with other policy requirements, is subject to discipline, up to and including termination of employment. In the case of a violation of criminal or civil law, violators may be subject to civil or criminal penalties.

State Laws and Regulations and Institutional and UT System Policies:

This policy supplements, and employees are required to adhere to, federal and state laws and regulations as well as other UTMB policies, including but not limited to the Rules and Regulations of the University of Texas System Board of Regents, University of Texas System Business Procedure Memoranda, the UTMB Institutional Handbook of Operating Procedures (IHOP), and UTMB's Standard of Conduct Guide.

XIII. Appeals

An employee may appeal the finding by the COI Office that a requested activity is not permissible under this policy. An employee may also appeal the determination made by his/her supervisor that a permitted activity is denied. In either case, the employee must submit a written appeal (form found on the COI Office webpage) within 30 days of receipt of the notice of impermissibility or denial. The appeal will be directed to the Executive Vice President overseeing the enterprise or division in which the employee resides. The Executive Vice President may then choose to affirm the denial of the activity or reverse the determination and approve the requested activity. The Executive Vice President's determination is final. Alternatively, the Executive Vice President may transfer the appeal to an administrator, chair, or dean within the same enterprise or division for final determination. Finally, the Executive Vice President may choose to transfer the appeal to the COIC for final determination.

XIV. Monitoring

UTMB or UT System will provide for regular monitoring of financial interest disclosure statements to determine individual and institutional compliance with this policy.

XV. Definitions

Administrative and Professional Employee: Exempt-level position that may be:

- Executive/managerial administrative positions engaged in strategic, tactical, or operational management that have primary responsibility for the management of a department; or
- Specialized professional positions requiring advanced degrees such as attorney, veterinarian, engineer, or librarian

Business Entity: any entity recognized by law through which business for profit is conducted, including a sole proprietorship, partnership, firm, corporation, holding company, joint stock company, receivership, or trust.

Approval Authority: will be the Conflicts of Interest Office in conjunction with Supervisors and Department Chairs.

Compensation: any form of benefit, including but not limited, to salary, retainer, honoraria, intellectual property rights or royalties, or promised, deferred, or contingent interest. It also includes sponsored travel or reimbursement, unless paid for by a Federal, state, or local agency, an institution of higher education, an academic teaching hospital, a medical center, or a research institute that is affiliated with an institution of higher education. However, reimbursement related to expert testimony is always considered compensation under this policy, regardless of the reimbursing party.

Conflict of Commitment (COC): a state in which the time or effort that a UTMB employee devotes to an outside activity directly or significantly interferes with the employee's fulfillment of his or her institutional responsibilities or when the employee uses State property without authority in connection with the employee's outside employment, board service, or other activity. Exceeding the amount of total time permitted by U.T. System or UTMB policy for outside activities creates the appearance of a conflict of commitment.

Conflict of Interest (COI): a significant outside interest of a UTMB employee or one of the employee's immediate family members that could directly or significantly affect the employee's performance of his or her institutional responsibilities. The proper discharge of an employee's institutional responsibilities

could be directly or significantly affected if the employment, service, activity, or interest: (1) might tend to influence the employee's conduct or decisions; (2) could reasonably be expected to impair the employee's judgment in performing his or her institutional responsibilities; or (3) might require or induce the employee to disclose confidential or proprietary information acquired through the performance of institutional responsibilities.

Exempt Employee: an employee who has been determined to be exempt from the Fair Labor Standards Act and is therefore not entitled to overtime pay.

Full Time Employee: any individual employed by UTMB on a twelve (12) month or nine (9) month basis.

Full Time Faculty Member: an employee who has a nine (9) or 12 (twelve) month faculty appointment and receives any compensation or benefits from UTMB regardless of the source of funds or assignment during the year.

Expert Testimony: any Compensated Outside Activity that involves providing evidence—in the form of a deposition, written document, in-person testimony, or otherwise—based on the employee's scientific, technical, or professional expertise or training in the relevant field. This includes evidence provided for judicial, legislative, or executive agency proceedings on either a State or Federal level.

Gift: anything of value, including, but not limited to cash, securities, bequest/trust distributions, life insurance, real estate, loans, gift cards, tickets to entertainment or sporting events, and food given to UTMB, a department/institute, and/or a UTMB employee by a third party. NOTE: salary, honoraria, expense reimbursements, and other such payments for services are not considered gifts. These payments are considered compensation for disclosure purposes.

Honoraria: a payment provided to a UTMB employee from an academic entity, professional service organization, non-profit organization, federal or state agency, foundation, or other similar entity outside UTMB for service provided to the entity, speaking engagement, or other public appearance, that is beyond the employee's normal responsibilities to UTMB. Payments from private, for-profit, health-care related Industry shall not be considered honoraria.

Immediate Family Members: include:

- a) a spouse;
- b) a dependent child or stepchild or other dependent, for purposes of determining federal income tax liability during the period covered by the disclosure statement; and
- c) a related or non-related, unmarried adult who resides in the same household as the individual and with whom the individual is financially interdependent as evidenced, for example, by the maintenance of a joint bank account, mortgage, or investments.

Nature and Extent: shall include a description of the activity, the time commitment, and the anticipated length of time the commitment is expected to continue.

Outside Activity: any activity performed by an employee, other than fulfilling employment obligations at UTMB or a U.T. System institution, including distance teaching. An activity is not considered an outside activity if UTMB or a U.T. System institution is the only entity reimbursing or compensating the employee for engaging in the activity.

Range of Compensation: includes a range of outside compensation as follows:

- (1) \$0-\$4,999;
- (2) \$5,000 - \$9,999;
- (3) \$10,000 - \$19,999;
- (4) amounts between \$20,000-\$100,000 by increments of \$20,000;
- (5) amounts above \$100,000 by increments of \$50,000;

****NOTE:** If compensated in stock options, disclose the number of shares of common stock par value of .01 and the percentage of the fully diluted value of the company at time of compensation.

Substantial Interest in a Business Entity: for purposes of this policy, means:

- (1) a controlling interest;
- (2) ownership of more than 10 percent of the voting interest;
- (3) ownership of more than \$5,000 of the fair market value;
- (4) a direct or indirect participating interest by shares, stock, or otherwise, regardless of whether voting rights are included, in more than 10 percent of the profits, proceeds, or capital gains; or
- (5) service as an officer.

****NOTE:** Does not include income from investment vehicles, such as mutual funds or retirement accounts, as long as the employee does not directly control the investment decisions made in those vehicles.

University Time: For faculty, this time is defined by the number of hours per week necessary for the performance of job duties, which include teaching, research, service, and patient care. For some staff this time is defined by a work day with set hours and for other staff this time is defined as a work day with set hours plus on call service as needed.

Relevant System Policies and Procedures

- [UT Regents' Rules and Regulations](#)
- UT System Rule 180

Related UTMB Policies and Procedures

- [IHOP 6.5.1 – Research Conflicts of Interest](#)
- [IHOP 6.5.2 – Ethical Interactions with Industry](#)
- [IHOP 6.5.4 – Institutional Conflicts of Interest](#)
- [IHOP 6.5.5 – Gifts, Honoraria, Fundraising, and Other Activities](#)

Dates Approved or Amended

<i>Originated:</i> 08/15/12	
<i>Reviewed with Changes</i>	<i>Reviewed without Changes</i>
02/19/14	02/20/14
02/12/15	
07/23/2015	

Contact Information

Conflicts of Interest Office
Office of Institutional Compliance
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coi.in@utmb.edu
<http://www.utmb.edu/coi>