



**CANCER RESEARCH FOR THE OZARKS (CRO)**  
**STANDARD OPERATING PROCEDURE (SOP) #18**  
**Financial Conflict of Interest (FCOI)**

**1. INTRODUCTION AND PURPOSE**

Research activities supported by NCI grants/contracts (including sponsored trial agreements) provide a valuable source of funding for Cancer Research for the Ozarks. Scientific credibility and acceptance of the results of a clinical investigation depend upon the integrity and objectivity of the investigators and research staff. As research activity grows in sophistication and complexity, individuals involved in such interactions have an increased potential for conflicting interest.

It is the purpose of this policy to set forth the principles for identifying those individuals who should report significant financial interests and situations that may pose a potential for conflicts of interest in compliance with applicable federal laws, regulations and policies.

**2. SCOPE**

This SOP promotes objectivity in research by establishing standards that provide a reasonable expectation that the design, conduct and reporting of research funded under NIH grants or cooperative agreements will be free from bias resulting from investigator and/or research staff financial conflicts of interest. The policy and procedures outlined below are intended to meet the requirements published by the federal government regarding Revised Financial Conflict of Interest (FCOI) regulation, promoting Objectivity in Research on August 25, 2011 (42 CFR Part 50 Subpart F and 45 CFR Part 94).

**3. APPLICABLE REGULATIONS AND GUIDELINES**

42 CFR Part 50 Subpart F	Grants and Cooperative agreements	Published 10-1-95
45 CFR Part 94	Contracts	Published 8-25-11
45 CFR 94.4	Institutional responsibility regarding conflicting interests in investigators	Published 8-25-11

#### **4. ATTACHMENTS**

- Appendix A – Significant Financial Interest Disclosure Form
- Appendix B – Component Agreement
- Appendix C – Guidelines for Review of Significant Financial Interest to Determine Existence of FCOI
- Appendix D - FCOI Mitigation Report Template
- Appendix E - Retrospective Review Template
- Appendix F - Suggested Travel Log

#### **5. RESPONSIBILITY**

This SOP applies to those members of the clinical research team involved in the conflict of interest determination, including the following:

- CRO Principal Investigator
- Investigators
- CRO Director
- CRO Office Manager
- Component Investigators
- CRO Executive Board
- Compliance Officers at Mercy Springfield and CoxHealth
- Administrator (at location of investigator/staff practice)

**For purposes of this SOP #18 Financial Conflict of Interest, Research Investigator will be defined as an individual who has the potential to enroll patients on NIH clinical trials or is employed by CRO or works in a research office of a sub-recipient member that enrolls patients on NIH trials through CRO's NCI Community Oncology Research Program (NCORP) grant.**

#### **6. PROCESS OVERVIEW**

- A. Disclosure
- B. Significant Conflict of Interest
- C. Training
- D. Disclosure Review and Monitoring
- E. Responsibilities of Compliance Officers
- F. Compliance
- G. Enforcement
- H. Reporting Requirements to NIH
- I. Maintenance of Records
- J. Sub-recipient (Component) Requirements
- K. Public Access

## 7. PROCEDURES

### A. Disclosure

*Identify which clinical research team members are responsible:*

- CRO Principal Investigator
- Research investigators
- Research Staff
- Component Investigators and research staff

*Describe how your study site implements this:*

#### **Disclosure of FCOI**

All investigators responsible for the design, conduct or reporting of research activities funded or proposed for funding (federal grant or sponsored trial) at CRO by external sources must reveal all current significant financial interests that would reasonably appear to be affected by the research.

#### **Financial disclosure forms need to be submitted:**

- Prior to approval as a CRO investigator
- Annually
- Whenever a new transaction or activity is proposed that might involve a potential conflict of interest
- Whenever there is a change in interests that might pose a conflict of interest
- Whenever there is change in a previously reported potential conflict of interest
- Whenever CRO revises its FCOI policy that affects requirements of investigators

### B. Significant Financial Interest

*Identify which clinical research team members are responsible:*

- CRO Principal Investigator
- CRO Director
- Research investigators
- Research Staff
- Component Investigators and research staff

*Describe how your study site implements this:*

#### **Significant financial interest is defined as:**

- Any current financial interest of the investigator and his/her immediate family that could reasonably appear to be affected by the activities proposed for funding.
- Any interest held by the investigator and his/her immediate family in a business entity (company, corporation, or other enterprise) whose financial interest might reasonably appear to be affected by such activities.

#### **Significant financial interests might include, but are not limited to, any of the following:**

- Anything of significant monetary value, including salary or other payments for services such as consulting fees or honoraria
- Direct equity interests such as stock options or ownership interests
- Intellectual property rights owned by the investigator such as patents, copyrights, and royalties from such rights.

	<p><b>Significant financial interests do not include:</b></p> <ul style="list-style-type: none"><li>• Financial interests in business enterprises or entities that, when aggregated for the investigator and his/her immediate family, does <b>not</b> exceed \$5,000 in value as determined through reference to public prices or other reasonable measures of fair market value</li><li>• Salary, royalties, or other remuneration from CRO</li><li>• Salary royalties or other payments that, when aggregated for the investigator and his/her immediate family, are not expected to exceed \$5,000 during the next 12- month period</li><li>• Income from seminars, lectures or teaching engagements sponsored by public or nonprofit entities</li><li>• Income from service on advisory committees or review panels for public or non-profit entities</li></ul> <p>Investigators may choose to disclose any other financial or related interest that might present an actual, potential, or perceived conflict of interest. Disclosure can be a key factor in protecting individual’s reputation and career from potentially harmful allegations of misconduct.</p>
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**C. Training**

<p><i>Identify which clinical research team members are responsible:</i></p> <ul style="list-style-type: none"><li>• CRO Principal Investigator</li><li>• Investigators</li><li>• Component Investigators and research staff</li></ul>	<p><i>Describe how your study site implements this:</i></p> <p><b>Disclosure of FCOI</b> All individuals responsible for the design, conduct or reporting of research by any grant or sponsored trial are required to undergo initial FCOI training and are required to be trained at least every 4 years. Training can be done at: <a href="https://about.citiprogram.org/en/homepage/">https://about.citiprogram.org/en/homepage/</a></p>
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**D. Disclosure Review and Monitoring**

<p><i>Identify which clinical research team members are responsible:</i></p> <ul style="list-style-type: none"><li>• CRO Principal Investigator</li><li>• CRO Director</li><li>• CRO Executive Board</li><li>• Compliance</li></ul>	<p><i>Describe how your study site implements this:</i></p> <p><b>Disclosure Review</b> CRO’s Director will provide timely review of completed FCOI Annual Disclosure Forms and FCOI Disclosure Attachments and will notify CRO Executive Board upon completion of such review.</p> <p><b>Management Plans for reported Conflict of Interest</b> After reviewing an individual FCOI with possible conflict and discussion with the individual, the CRO Principal Investigator and CRO Director, will decide whether a management plan is needed.</p>
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<p>Officers at Mercy Springfield and CoxHealth</p> <ul style="list-style-type: none"><li>• Institutional Administrator (where investigator/staff practice)</li></ul>	<p>Should management of a potential or actual significant financial conflict of interest be required, the investigator/staff, the CRO Principal Investigator, Institutional Administrator (at location of investigator practices), and CRO Director will draft a “Management Plan.” Written plans will manage, reduce, or eliminate the significant financial interest(s). Plans will be designed to meet applicable legal requirements, facilitate the local resolution or management of any conflict, minimize administrative burden, and protect the confidentiality of disclosed information. Final management plans are reviewed and approved by the CRO Executive Board. The PI and Director’s FCOI will be reviewed by the CRO Executive Board after excusing the PI and Director from the meeting.</p> <p><b>Management plans may include a single element or several elements such as:</b></p> <ul style="list-style-type: none"><li>• Limitations on the employee’s involvement in personnel decision on behalf of CRO</li><li>• Monitoring of the sponsored program by independent researchers or reviewers, or the Compliance Officers</li><li>• Modifications to the research or program plan</li><li>• Appointment of an oversight panel or person to review research</li><li>• Public disclosure of significant financial interests, including human research participants, researchers, publishers, and/or conference organizers</li><li>• Divestiture of significant financial interests</li><li>• Other arrangements that manage, reduce, or eliminate a potential financial conflict of interest.</li></ul> <p><b>Dispute Resolution</b></p> <p>If the person with the conflict of interest, Institutional Administrator (where investigator/staff practices), and CRO Director cannot agree on a management plan, the matter will be referred to the Compliance Officers at CoxHealth or Mercy Springfield. In such cases, the Investigator may request that a CRO Executive Board member of his/her choosing (other than himself/herself) consult with the Compliance Officer for the review of the situation.</p> <p>The Compliance Officer will review the written materials and consult with the investigator and/or staff, the CRO Principal Investigator, Institutional Administrator (where investigator/staff practices), CRO Director and/or others as needed. The Compliance Officer will make his/her recommendation to the CRO Executive Board. The Compliance Officers, after consideration of any recommendations from the CRO Executive Board, shall make the final determination on management plans.</p>
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### E. Responsibilities of the Compliance Officer

*Identify which clinical research team members are responsible:*

- Compliance Officers at Mercy Springfield and CoxHealth

*Describe how your study site implements this:*

**The Compliance Officers have the following primary responsibilities:**

- Review complex disclosures, as requested by CRO, to assure that all issues have been considered and addressed
- Review draft management plans where the Investigator, Principal Investigator, as applicable, Institutional Administrator (where investigator practices), and CRO Director have been unable to reach agreement and make a recommendation for resolution to the CRO Executive Board and
- Advise CRO Executive Board on implementation and communications regarding the FCOI policy and processes.

### F. Compliance

*Identify which clinical research team members are responsible:*

- CRO Principal Investigator
- Research Investigators
- Research Staff
- Component Investigators and research staff

*Describe how your study site implements this:*

As part of the Financial Disclosure Statement, each Investigator must certify that if the CRO Executive Board determines a conflict exists, the investigator/staff will adhere to all conditions or restrictions imposed upon the project and will cooperate fully with the individual(s) assigned to monitor compliance.

### G. Enforcement

*Identify which clinical research team members are responsible:*

- Principal Investigator
- Research Investigators
- Research Staff
- Component Investigators and research staff

*Describe how your study site implements this:*

Failure to properly disclose relevant financial interests or failure to adhere to conditions or restrictions imposed by the CRO Executive Board will be considered a deviation from accepted standards of conducting research at CRO.

Alleged violations of this policy will be investigated by the Compliance Officer which will make recommendations for action to the CRO Executive Board.

**Breaches of policy include:**

- Failure to file the necessary disclosure statements
- Knowingly filing incomplete, erroneous or misleading disclosure forms
- Failure to comply with procedures prescribed by the CRO Director

**If the CRO Executive Board determines that the policy has been violated, they may impose sanctions including, but not limited to:**

- Notification of sponsor and termination of award
- Formal admonition
- A letter to the investigator's personnel file
- Within 120 days of determination of non-compliance, a retrospective review of the investigator's activities and the NIH-funded research project will be done to determine if there was bias in the design, conduct or reporting of research. The retrospective review is documented.

## H. Reporting Requirements to NIH

*Identify which clinical research team members are responsible:*

- Principal investigator
- CRO Director

*Describe how your study site implements this:*

CRO will provide initial and ongoing FCOI reports to NIH through the eRA Commons FCOI Module.

### **FCOI reports are submitted to NIH:**

- Prior to the expenditure of funds during the award period
- Within 60 days of identifying a new FCOI
- To report on the status of FCOI and any changes in management plan
- With multi-year and annual progress report submissions
- Or at time of grant extension.
- When a bias is found in the design, conduct or reporting of a research project.

## I. Maintenance of Records

*Identify which clinical research team members are responsible:*

- CRO Director
- Office Manager

*Describe how your study site implements this:*

Conflict of Interest disclosures will be tracked by the CRO office manager and updated as changes occur.

Records will be maintained for at least three years following the last disbursement of federal funds.

Records will not be routinely provided to sponsors unless such is an agency requirement and the agency submits a written request.

The CRO Director will be responsible for communications with sponsors. Disclosure statements and associated information will not be released without notification to the investigator.

**J. Public Access**

*Identify which clinical research team members are responsible:*

- CRO Director
- Office Manager

*Describe how your study site implements this:*

Cancer Research for the Ozarks FCOI policy will be posted on the CRO web-site at [www.ozarkscancerresearch.org](http://www.ozarkscancerresearch.org)

**Information on FCOI of senior/key personnel will be accessible on the CRO website. This information shall minimally include the following:**

- Investigator’s name
- Investigator’s title and role with respect of the research project
- Name of the entity in which the Significant Financial Interest (SFI) is held
- Nature of the SFI (i.e. equity, consulting fees, travel reimbursement, honoraria, etc)
- Approximate dollar value of the SFI or a statement that the interest is one whose value cannot be readily determined through reference to public prices or other reasonable measures of fair market value.

**K. Subrecipient**

*Identify which clinical research team members are responsible:*

- Component Investigators

*Describe how your study site implements this:*

CRO has Component agreements with area hospitals and clinics. For the purposes of SOP # 18, the hospitals, clinics, physicians’ groups and research staff are considered sub-recipients of CRO’s NCI grant. These institutions have their own research staff and CRO passes through funds from the NCORP grant for each accrual to NIH clinical trials accessed through CRO. The funds are paid directly to the health care entity. All Component investigators and research staff are to abide by SOP #18.

**Appendix A, SOP #18  
Cancer Research for the Ozarks (CRO)  
SIGNIFICANT FINANCIAL INTEREST DISCLOSURE FORM**

The purpose of this form is to determine if you have a significant financial interest consisting of one or more of the following interests for yourself (and, if applicable, your spouse or dependent children) that reasonably appears to be related to your role with CRO.

1. NCI Research Investigator with CRO?  Yes  No
2. NCI Research staff with CRO?  Yes  No
3. Have you (or your spouse or dependent children) received income from a publicly-traded entity during the 12 months prior to disclosure that (in combination with the value of any equity interest in the entity) exceeds \$5,000?  Yes  No
4. Do you (or your spouse or dependent children) hold ANY equity interest (e.g., stock, stock option, or other ownership interest) in a non-publicly traded entity, OR have you received more than \$5,000 income from a non-publicly traded entity during the 12 months prior to disclosure?  
 Yes  No
5. Have you (or your spouse or dependent children) received income from intellectual property rights or interests (such as patents, copyrights, royalties, licensing fees) exceeding \$5,000 during the 12 months prior to disclosure?  Yes  No

If you responded yes to questions 3, 4, or 5, please explain below. Include name of entity, name and relationship to you of person involved, dollar amount, and other pertinent information.

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Significant Financial Interest does **NOT** include:

- Any income, reimbursement, or sponsorship of travel by a government agency, higher education institution, academic teaching hospital, medical center, or research institute affiliated with a higher education institution.
- Income or travel paid by CRO or covered by a sponsored award through CRO.
- Income received from CRO or intellectual property owned by CRO.

6. Were you reimbursed for travel or had ANY of your travel costs sponsored by an entity? Income and travel costs paid by other non-profit organizations such as professional organizations, are considered a Significant Financial Interest.  Yes  No

If you responded 'Yes' to question 6, please complete the attached Travel Log.

Please print name: \_\_\_\_\_

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

Signature

For CRO Program Administrator only:

No SFI

SFI but not considered FCOI

Additional information requested \_\_\_\_\_

FCOI, reported to

NIH \_\_\_\_\_

**Appendix B, SOP #18  
Cancer Research for the Ozarks  
COMPONENT AGREEMENT AMENDMENT # \_\_\_\_\_**

The contractual agreement between Ozark Health Ventures LLC-Cancer Research for the Ozarks and \_\_\_\_\_(Component) has been revised to include the following statements.

This agreement is intended to assure compliance with all requirements of the National Institute of Health (NIH), the National Cancer Institute (NCI), Office of Research Protections (OHRP), the Food and Drug Administration (FDA), and Cancer Research for the Ozarks to promote efficient and effective collaboration in the conduct of cancer clinical trials and cancer control programs.

\_\_\_\_\_(Component) agrees that it will follow the Financial Conflict of Interest Policy of Cancer Research for the Ozarks - Standard Operating Policy (SOP) #18 "Financial Conflict of Interest". This policy is based on the requirements published by the federal government regarding Revised Financial Conflict of Interest (FCOI) Regulation, Promoting Objectivity in Research on August 25, 2011 (42 CFR Part 50 Subpart F).

If \_\_\_\_\_ (Component) agrees to the addition of these statements, please initial the statement of agreement below and sign the Amendment. If Component does not agree to the addition of this statement, then Component must provide its own FCOI SOP that meets or exceeds the most recent requirements published by the federal government regarding Revised Financial Conflict of Interest (FCOI) Regulation, Promoting Objectivity in Research on August 25, 2011. Component must also provide a certification from Institution that its FCOI policy complies with the regulation. Component also agrees to provide CRO with a report identifying FCOIs for its Investigators in a time frame that allows CRO to report identified FCOIs to the NIH as required by the regulation or alternatively, Institution will allow CRO Program Director to solicit and review Component's Investigator disclosures so that CRO can identify, manage and report identified FCOIs to NIH.

\_\_\_\_\_ (Component) agrees to the addition of the above sentence to the CRO contract.

\_\_\_\_\_ Component does not agree to the addition of the above. Instead Component will follow its own FCOI SOP (copy provided to CRO – see note below).

For CRO:	For Component
Signature _____ Name: _____ Title: _____ Date: _____ _____	Signature _____ Name: _____ Title: _____ Date: _____ _____

For CRO Director only

\_\_\_ CRO has received a copy of Component's FCOI SOP.

\_\_\_ CRO has received a certification that its FCOI complies with the regulation.

\_\_\_ CRO has established a procedure with Component to obtain FCOI reports as specified by regulation.

## **Appendix C, SOP #18**

### **Cancer Research for the Ozarks**

#### **GUIDELINES FOR REVIEW OF SIGNIFICANT FINANCIAL INTEREST TO DETERMINE EXISTENCE OF FINANCIAL CONFLICT OF INTEREST**

CRO's Director will provide timely review of completed FCOI Annual Disclosure Forms and FCOI Disclosure Attachments and will notify CRO Executive Board upon completion of such review. When reviewing those disclosure forms that indicate one or more SFIs, the CRO Principal Investigator and CRO Director or designee will use, at a minimum, the following considerations: knowledge of how CRO operates and the role(s) its Investigators play within the national cooperative groups and within CRO.

- If an Investigator is a member of a committee for a national cooperative oncology group, then that Investigator, for this role only, will be bound by the Financial Conflict of Interest policy of the institution that is holding the grant for the national cooperative oncology group.
- If the Investigator enrolls patients on NIH Clinical Trials through CRO, then the CRO Principal Investigator and CRO Director may consider, among other factors, the phase of the study, the number of patients to be enrolled nationally, if drug is provided, the Investigator's specialty (if applicable), and the history of the study (date open for accrual, first patient entered, rate of enrollment, etc.).

The CRO Principal Investigator and CRO Director will determine if the SFI is related to PHS-research and, if so related, whether it represents a Financial Conflict of Interest. All FCOIs will be reported to the NIH per Section H. If required, the CRO Director will submit Mitigation Report (See Appendix E for Mitigation Report template).

If the Department of Health and Human Services determines that a PHS-funded research project of clinical research whose purpose is to evaluate the safety or effectiveness of a drug, medical device, or treatment has been designed, conducted, or reported by an Investigator with an FCOI that was not managed or reported by CRO as required by the regulation, the CRO Principal Investigator and CRO Director will require the Investigator involved to disclose the FCOI in each public presentation of the results of the research and request an addendum to previously published presentations. If there are problems in obtaining SFI Disclosure Forms, additional information as requested, or the Investigator refuses to follow the policies and procedures outlined in SOP #18, the CRO Principal Investigator and CRO Director may suspend enrollment privileges to NIH clinical trials.

**Appendix D, SOP #18  
Cancer Research for the Ozarks  
FCOI REPORT TEMPLATE**

Project number:

Principal Investigator:

Name of the Investigator with the FCOI:

Name of the entity with which the Investigator has a FCOI

Nature of the financial interest (e.g., equity, consulting fee, travel reimbursement, honorarium):

Value of the financial interest (dollar ranges are permissible: \$0-\$4,999; \$5,000-\$9,999; \$10,000-\$19,999; amounts between \$20,000-\$100,000 by increments of \$20,000; amounts above \$100,000 by increments of \$50,000), or a statement that the interest is one whose value cannot be readily determined through reference to public prices or other reasonable measures of fair market value:

Description of how the financial interest relates to the PHS-funded research and the basis for CRO's determination that the financial interest conflicts with such research:

Description of the key elements of CRO's management plans, including:

- Role and principal duties of the conflicted Investigator in the research project:
- Conditions of the management plan
- How the management plan is designed to safeguard objectivity in the research project
- Confirmation of the Investigator's agreement to the management plan
- How the management plan will be monitored to ensure Investigator compliance
- Other information

**Appendix E, SOP #18  
Cancer Research for the Ozarks  
RETROSPECTIVE REVIEW TEMPLATE**

Project number:

Principal Investigator:

Name of the Investigator with the FCOI:

Name of the entity with which the Investigator has a FCOI:

Reason(s) for the retrospective review:

Detailed methodology used for the retrospective review (e.g., methodology of the review process, composition of the review panel, documents reviewed):

Findings of the review:

Conclusions of the review:

(If appropriate, CRO shall update the previously submitted FCOI report, specifying the actions that will be taken to manage the FCOI going forward. If bias is found, CRO is required to notify the PHS Awarding Component promptly and submit a mitigation report to the PHS Awarding Component. The mitigation report must include, at a minimum, the key elements documented in the retrospective review above and a description of the impact of the bias on the research project and CRO's plan of action or actions taken to eliminate or mitigate the effect of the bias (e.g., impact on the research project, extent of harm done including any qualitative and quantitative data to support any actual or future harm, analysis of whether the research project is salvageable).

