The new university wide policy on Conflicts of Interest, Conflicts of Commitment and All Outside Activities (HOP 1.33) is an additional requirement established by the UT System. Researchers must continue to disclose information required by the Research Conflict of Interest and Intellectual Property policy (HOP 10.04).
Instructions

- The training module consists of an overview of UTSA Research Conflict of Interest and Intellectual Property policy (HOP 10.04) and researcher’s responsibilities relating to conflict of interest in research and intellectual property. All researchers, tenured and tenure-track faculty are required to disclose any activity that falls under these federal regulations.

- Click the “continue” button on the bottom right side of your screen to advance the slides.

- The slides should take approximately 10 – 15 minutes to complete.

- You may stop and restart the slides at any time using the same website and login procedure.
Overview

Topics covered in this module:

- UTSA Policy
- Applicability
- What to and what not to disclose
- Researcher responsibilities
- When to disclose
- Public availability of information
- Conflict of Interest examples
- Update on UTSA HOP 1.33 policy
- Policies and regulations

Note: The information contained here is intended to adhere to requirements set forth in NIH/PHS regulations, UT System policy, and UTSA policy. See UTSA HOP 10.04 and the COI website for more information.
Federal regulations were revised due to public and congressional scrutiny of academic-industry partnerships often needed to advance research.

Overall, conflict of interest policies promote objectivity in funded and unfunded research and sponsored activities by assuring the design, conduct, or reporting of research and sponsored activities will be unbiased by any conflicting interest of the researchers.

See [UTSA HOP 10.04](#) and the [UTSA COI website](#) for more information.
To whom does the policy apply?

All “Researchers”, or all individuals, regardless of title, who have direct responsibility for the design, conduct or reporting of funded or unfunded research or sponsored activities.

* Note that the application of this policy to researchers conducting unfunded research is unique to the UT System and not required by federal regulations.
Examples of “Researchers”

- All tenured and tenure-track faculty
- All Principal Investigators (PIs), Project Directors (PDs), and all other senior/key personnel including sub-recipients, collaborators, and consultants
- All individuals identified as responsible personnel on an IRB or IACUC protocol
- Some students, research staff, technicians, and volunteers depending on their level of responsibility as determined by the PI or PD
- All named inventors, including students, on UTSA inventions
What is a conflict of interest (COI)?

A situation in which Significant Financial Interests may affect:

(a) a Researcher’s professional judgment in exercising any UTSA duty or responsibility or
(b) the design, conduct, or reporting of research or sponsored activities

See UTSA HOP 10.04 for more information.
What do I disclose?

Disclose all “Significant Financial Interests” (SFIs) if they:

1. could reasonably appear to the general public as related to your institutional responsibilities (professional responsibilities on behalf of UTSA, such as teaching, research, and service for UTSA faculty) and

2. were held or received in the past 12 months by you or

3. were held or received in the past 12 months by a related person (spouse/domestic partner, dependent children/step-children, and other related persons with whom you are financially interdependent).

Note that financial interests of trusts or foundations that you control or manage also must be disclosed if they meet the criteria above.
SFIs that need to be disclosed

Report all Significant Financial Interests (SFIs) received or held in the following categories:

I. Remuneration
II. Equity
III. Travel reimbursements or sponsored travel
IV. Intellectual property rights

Each SFI is defined in the slides that follow.

*UTSA adopts SFI requirements set forth by federal regulations unless otherwise specified.*
SFIs that need to be disclosed

See FAQs for examples.

I. **Remuneration** (including payments, income, consulting fees, honoraria, paid authorship, etc.) only if:

- The total of payments and equity held exceeds $5,000 if the source is a publicly traded entity **OR**

- Payments exceed $5,000 if the source is a non-publicly traded entity (such as a start-up company).
SFIs that need to be disclosed

II. **Equity** (including stock, stock options, shares, and other ownership interest) only if:

- The total of remuneration and equity held exceeds $5,000 if the source is a publicly traded entity **OR**
- The equity is held in a non-publicly traded entity.

See FAQs for examples.
III. Travel payments (including reimbursements and sponsored travel paid on your behalf) as follows:

- If you have requested or received any funding from NIH/PHS in the past 12 months, disclose all travel payments.

IV. Intellectual property rights† (e.g., patents, copyrights) and any royalties and other payments

† The scope of the requirement was expanded by UT System.
What is excluded from HOP 10.04?

- You do **not** have to disclose:
  - Any interests or activities that **do not appear** to be related to your professional responsibilities on behalf of UTSA
  - Salary, royalties, or other remuneration paid by UTSA
  - Income from seminars, lectures, teaching engagements, service on an advisory committee or review panel and travel reimbursements or sponsored travel from:
    - U.S. federal, state, or local governments,
    - U.S. institutions of higher education, academic teaching hospitals, medical centers, or
    - research institutes affiliated with a U.S. institution of higher education
  - Income from certain investment vehicles (e.g., mutual funds, retirement accounts) if you **do not directly** control the investment decisions

See FAQs for examples.
What do I have to do?

1. **Maintain a current Disclosure of Financial Interests**
   - File within 30 days of becoming a UTSA researcher,
   - File each year thereafter by March 1, and
   - Update within 30 days of any changes in your SFIs (e.g., receipt, purchase, marriage, inheritance).

2. **Provide additional information as requested**
   - e.g., agreements, contracts, offer letters

Note: A non-UTSA researcher must either (a) certify that their institution has a comparable policy and that a disclosure is filed with their home institution or (b) follow the UTSA policy, including submitting a UTSA disclosure.
3. If you are a PI or PD, determine whether any other individuals working on your project(s) are required to file a Disclosure
   - They are required to file if they are responsible for the design, conduct, or reporting of research.

4. Complete COI training
   - Upon first becoming a UTSA researcher.
   - At least every 4 years thereafter.
   - When you are found to be out of compliance with the UTSA COI policy or a management plan.
When do I disclose?

1. By March 1 of each year
2. Within 30 days of any changes (amend existing form)

See FAQs for more information.

The following activities could be delayed or suspended if a current Disclosure is not on file:

- Any research project (funded or unfunded)
- Submitting a grant proposal (for research or other sponsored activities)
- Spending any project funding (i.e., grant, contract, or dept. funds)
- Approval for the use of human subjects (IRB) or animals in research (IACUC)
You’ve disclosed an SFI. Now what?

Your SFI will be reviewed to determine:

1. If your SFI could be affected by your research and
2. If so related, if the SFI could directly and significantly affect the design, conduct, or reporting of your research.

See the UTSA COI website for the SFI lifecycle.
What if I spend grant funds before I’m told that a COI exists?

- If grant funds are spent *and* the discloser has a conflict of interest *and* the conflict of interest is not managed *and* the discloser has NIH funding,  
  - a *Retrospective Review* must be conducted to determine if the research was biased by the outside interest.
  - If bias is found, UTSA must  
    - implement a mitigation plan  
    - submit a report to the NIH funding agency, with annual updates

See [42 CFR §50.605.a.3](#).
Public Availability of Information

- If an SFI is determined to be a COI, the following information will be available to the public:
  - Your name, title, and role in the research,
  - The name of the entity, the nature of the SFI, and
  - The value of the SFI (within specified ranges).

- COIs will be posted to a UTSA website for senior/key personnel with NIH/PHS funding. * The posting must occur before grant or award funds are spent. UTSA also must report this information about the COI and how it is managed to the NIH/PHS funding agency.

- COIs will be available via written request for all other researchers.

* Note that federal regulations give institutions the option of posting these findings to a website or responding to written requests. The UT System requires UTSA to post the findings as described above.
Examples of Conflicts of Interest

Here are a few examples of COI issues from recent news headlines.

- Industry money and questionable ethics contaminate UT Austin fracking study. *Scientific American*, 7-24-2012. ([View article](#))

- Former UC Irvine Prof Pleads Guilty to **Conflict of Interest**, *Voice of OC*, 2-26-2014. ([View article](#))

- Baylor College of Medicine faces NIH sanctions over financial conflicts. *The Chronicle of Higher Education*, 1-20-2010. ([View article](#))

*These examples give the appearance that research is*
Remember…

1. Update any SFI changes within 30 days
2. File your disclosure annually by March 1
3. Disclose SFIs if they could appear to be related to your institutional responsibilities at/for UTSA
4. Unmanaged COIs are prohibited
5. If in doubt, ask!! ccoi@utsa.edu

1. Following the policy demonstrates research integrity and having SFIs and COIs does not imply wrongdoing.
2. Violations of the policy will lead to disciplinary action under UTSA policies and Regents’ Rules and Regulations.
Update on UTSA HOP 1.33 Policy

- UTSA 1.33 policy is intended to protect the credibility and reputation of UTSA, and its faculty and staff by providing a transparent system of disclosure, approval, and documentation of employee activities outside UTSA (including but not limited to, engaging in outside employment or outside board service and owning certain interests in business entities) that might otherwise raise concerns about Conflicts of Interest or Conflicts of Commitment.

- UTSA Faculty and Covered Staff should disclose all outside work or activities as required under UTSA HOP 1.33 policy utilizing an online portal hosted by UT System: http://outsideactivity.utsystem.edu.

- However, information reported under HOP 10.04 should NOT be re-disclosed under this policy.

- See UTSA HOP 1.33 and the UTSA Conflict of Interest, Conflict of Commitment, and Outside Activities website for more information.
Disclosure Process by Researchers
UTSA Disclosure of Financial Interests (HOP 10.04)

Pre-Approved Activities
(HOP 10.04 / HOP 1.33)

Reported as part of a Faculty or Covered Staff member’s periodic performance evaluation (e.g., faculty annual report).

Activities
(Request Prior Approval)

Appear to be related To Your Institutional Responsibility at UTSA?

Yes

No

HOP 10.04
Questions 1 to 4

Excluded from HOP 10.04?

Yes

No

NIH/PHS

Publicly Traded Entity

Non-Publicly Traded Entity

Rights to IP

Significant Financial Interests

All Travel Payments

Payment + Equity interest > $5K

Payment > $5K OR Any Equity interest

From Entity other than UTSA

Disclose using UTSA Research Portal Home

HOP 1.33
Disclose using UT System Portal
Applicable Policies & Regulations

- **Federal**
  - 42 CFR Part 50 Subpart F, *Responsibility of Applicants for Promoting Objectivity in Research for which Public Health Service Funding is Sought*
  - 45 CFR Part 94, *Responsible Prospective Contractors*

- **State of Texas**

- **University of Texas System**
  - *Regents’ Rule 30104*, Conflict of Interest, Conflict of Commitment, and Outside Activities
  - *Systemwide Policy UTS 175*, Disclosure of Significant Financial Interests and Management and Reporting of Financial Conflicts of Interest in Research, and [Model Policy for Academic Institutions](https://utsa.edu/uhp/models/)
  - *Systemwide Policy UTS policy 180*, Conflict of Interest, Conflict of Commitment, and Outside Activities

- **Related UTSA**
  - *HOP 1.33*, Conflicts of Interest, Conflicts of Commitment, and Outside Activities
  - *HOP 10.15*, Management, Use and Commercialization of UTSA Intellectual Property

* Reminder: Per the UT System, UTSA must adopt standards for conflict of interest in research that go beyond the requirements set forth in the federal regulations.*
Contact Information

Primary Contact:
- Office of Research Integrity
  Javier Garcia, ccoi@utsa.edu
  Senior Research Compliance Coordinator

Other COI Officials:
- Responsible Official
  Dr. Bernard Arulanandam
  Interim Vice President for Research

- Institutional Official
  Dr. Mauli Agrawal
  Interim Provost and Vice President for Academic Affairs
Certification

You have completed the COI training.

For your convenience, we have verified your login information to document that you have received the COI training materials and no additional action is required.

To update or review your Disclosure of Financial Interests, please click the link below:

https://oric.utsa.edu/

For technical assistance, contact vprhelp@utsa.edu