

Accountable Care Organization Conflict of Interest Policy

Scope

Applies to all members of the Mayo Clinic Community Accountable Care Organization, LLC Governing Board (members), and ACO Corporate Officers (officers) when addressing issues of conflict of interest.

Purpose

To address conflicts of interest of members of the Mayo Clinic ACO Board and ACO Corporate Officers, and to ensure compliance with institutional standards and regulatory requirements.

Policy

- Where decisions related to Mayo Clinic Accountable Care Organization activity involve members/officers who have a financial interest related to the decision, full disclosure of the financial interest must be made to all those involved in the decision-making process.
- Members/officers who have a financial interest must not participate in the conflict of interest review process unless expressly asked to answer questions and must not be present during or participate in the vote on the final outcome.
- Disclosure of the financial interest and recusal from the review process and vote on the final outcome must be documented in meeting minutes summarizing the overall decision-making process.

Annual and Ongoing Disclosure

- Annual Disclosure
 - Each member/officer must file annually with the Mayo Clinic Conflict of Interest Review Board (MCCIRB) a Disclosure Form regarding all matters identified by the MCCIRB as necessary to effectively enforce the Policy.
 - The annual disclosure must be filed within the timeframe specified by the MCCIRB.
- Ongoing Disclosure
 - Each member/officer must promptly disclose to the Chair of the MCCIRB (507-538-8288) new information required by the Annual Disclosure.
- Conflict of Interest Review Board Recommendations
 - The MCCIRB will review all annual and ongoing disclosures received, make such further investigation as it deems appropriate with regard to interests disclosed, and recommend such management steps as it deems appropriate to ensure that potential conflicts of interest are identified and managed in compliance with this Policy.

Disclosure, Recusal and Management of Specific Conflicts of Interest

- Disclosure

- In addition to annual and ongoing disclosures, members/officers must make full disclosure to the Chair of the MCCIRB of any transaction or relationship involving the member/officer or a “Covered Family Member” which the member/officer knows or has a reasonable basis to believe may compromise or may have the appearance of compromising the ability of the member/officer to make decisions regarding the transaction or relationship with only the best interests of Mayo Clinic ACO and its patients in mind.
- Bi-Lateral Recusal
 - Any member/officer involved in an actual or potential “conflict of interest” defined under the Policy must not participate in any discussion or action regarding the matter at any level within Mayo Clinic ACO or at any level within any third-party organization involved in the potential conflict of interest.
 - The member/officer must respond to requests for factual information required by Mayo Clinic ACO or by the third-party organization in connection with its decision-making and management procedures pursuant to this Policy.
 - Such recusal will be documented in all minutes of meetings related to the matter at Mayo Clinic ACO and, when appropriate, at the third-party organization.
- Conflict of Interest Review Board Recommendation
 - Each potential conflict of interest involving a member/officer will be reviewed by the MCCIRB pursuant to its policies and procedures. The MCCIRB will make a recommendation whether the proposed transaction or relationship is permissible and, if so, recommend such management steps as it deems appropriate.
 - The involved member/officer will not be present during consideration of the matter by the MCCIRB except to answer questions of the MCCIRB as may be necessary. The involved member/officer will not be present during final deliberations on the matter by the MCCIRB.

Violations of the Conflict of Interest Policy

- If the MCCIRB has reasonable cause to believe that a member/officer has failed to comply with this Policy, it will inform the member/officer of the basis for such belief and afford the member/officer an opportunity to explain the alleged compliance failure.
- If, after hearing the member/officer's response and after making further investigation as warranted by the circumstances, the MCCIRB determines that the member/officer has failed to comply with this Policy, it will recommend to the full ACO Executive Team and Board appropriate corrective action and/or discipline.

Policy Notes

What can cause a financial interest or Financial Conflict of Interest at Mayo Clinic?

This section addresses financial interests that may result in a conflict of interest related to a staff member's institutional responsibilities that include, but are not limited to research, education, clinical practice, purchasing and administrative activities. Financial interests include any of the following for the staff member, his/her spouse, domestic partner or dependent children:

- Holders of equity, including stock, stock options or warrants, in publicly traded or privately held companies (This excludes investments in mutual funds over which staff members have no direct oversight)
- Recipients of consulting income, honoraria, salary (excluding that from Mayo Clinic), gifts or other emoluments or other in-kind compensation per year
- Recipients of license fees*, equity, royalties or contractual rights to receive royalties either through Mayo Clinic or from an external entity
- Recipients of unrestricted research or education grants
- Service as an officer, director or in any other fiduciary role for a commercial entity.

*Paid-up license agreements that do not include future sales-based royalties are not considered a financial interest.

Related Procedures

N/A

Related Documents

[Annual Conflict of Interest Disclosure Form](#)

[Mayo Clinic Conflict of Interest Policies](#)

Definitions

Conflict of Interest: Any situation in which an Individual Interest or other personal consideration involving a member of the ACO Board (member) or ACO Corporate Officer (officer) may compromise or may have the appearance of compromising the ability of the individual to make decisions regarding the situation with only the best interests of Mayo Clinic ACO and its patients in mind.

A conflict of interest occurs when there is a divergence between an individual's or an institution's private interests and their professional obligations either to a patient or to society such that an independent observer might reasonably question research, clinical practice, education, leadership, investment purchasing, or other professional actions taken by the individual or the institution that may have been influenced by consideration of conflict of interest. Conflict of interest often depends on the situation, and not on the character or actions of an individual.

While conflict of interest is possible in a variety of academic pursuits including the desire for professional and scholarly advancement, acquisition of research funding, recognition by peers, etc., the Conflict of Interest Policy at Mayo Clinic addresses only disclosed

financial interests related to research, clinical practice, education, leadership, purchasing and other professional activities.

Covered Family Member: A spouse, ancestor, brother, sister, child, grandchild, great grandchild, or the spouse of any of the foregoing family members.

References

[CMS Accountable Care Organization Application Manual](#)

Owner

[Monica M. Sveen Ziebell](#), M.B.A. on behalf of the Conflict of Interest Review Board

Contact

[Monica Sveen-Ziebell](#), Administrator

Revision History

| Date | Synopsis of Change |
|------------|---|
| 09/15/2023 | Standard two-year review. No substantive changes. |
| 10/25/2021 | Established stand-alone ACO policy. Was previously included within scope of Trustee COI Policy. The Board of Governors and Governance and Nominating Committee do not get involved with ACO activities. |
| 09/13/2021 | Approval for need to establish document: Conflict of Interest Review Board Executive Subcommittee: 4/12/21, Conflict of Interest Review Board: 8/23/21, Board of Governors: 9/13/21 |

Content Information Stamp

Title:
Accountable Care Organization Conflict of Interest Policy

Content ID:
DOCMAN12-0000417249

Effective Date of Current Version:
09/21/2023 07:29:25 AM

Applicable Sites

Arizona Sites:
Arizona

Florida Sites:
Florida

Rochester Sites:
Duluth, Kasson, Litchfield, Little Falls, Minneapolis, Northfield, Rochester, St. Cloud, Superior

NW WI Region:
Barron, Bloomer, Chetek, Chippewa Falls, Eau Claire, Glenwood City, Menomonie, Mondovi, Osseo, Rice Lake

SE MN Region:
Adams, Albert Lea, Austin, Cannon Falls, Ellsworth, Faribault, Lake City, Lake Mills, New Richland, Owatonna, Plainview, Red Wing, Wells, Zumbrota

SW MN Region:
Belle Plaine, Fairmont, Janesville, Le Sueur, Mankato, Montgomery, New Prague, St. James, St. Peter, Waseca, Waterville

SW WI Region:
Arcadia, Caledonia, Holmen, La Crosse, Onalaska, Prairie du Chien, Sparta, Tomah

Reviewer(s):

Timothy M. Graner, M.B.A.

Approver(s):

Monica M. Sveen Ziebell, M.B.A.

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