

North Shore-LIJ Health System Conflicts of Interest and Recusal Policy

Policy #800.03



**North Shore-LIJ Health System
Corporate Compliance Office**
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Purpose of the Policy

Conflicts of Interest arise when a person who is in a position to influence the business or other decisions of the Health System does so in a manner that leads or appears to lead to personal gain for himself or herself, Family members or Related Business Interests.

Such conflicts interfere with that person's duty of loyalty to the Health System. Ultimately, such conflicts may lead to decisions that negatively affect cost and quality. The federal Physician Payments Sunshine Act and various state statutes reflect this concern and will require drug and medical device manufacturers and other companies to report payments to physicians.

Accordingly, it is the policy of the Health System to conduct business free from the influence of Conflicts of Interest and to properly manage and mitigate Conflicts of Interests using a system of disclosure and recusal.

This brochure discusses some of the issues regarding the Health System's policy.

For more information, we have available

- The complete Conflicts of Interest and Recusal Policy
- The Health System's Code of Ethical Conduct
- On-line disclosure reporting – <https://nshs.coi-smart.com>
- Gifts and Interactions with Industry Policy
- Business Courtesies to Potential Referral Sources Policy
- Health System's Conflict of Interest in Research Policy
- FAQ on Conflicts of Interest

**You can also contact us at:
Corporate Compliance 516.465.8097**





Scope: Associated Individuals, Family Members, Related Business Interests

- The policy applies to “Associated Individuals.” These are persons employed or otherwise associated with the Health System including, but not limited to Trustees, officers, employees, agents, medical staff, and students.
- Associated Individuals can have conflicts of interest if their decisions at the Health System benefit or appear to benefit themselves, Family Members or Related Business Interests. **Example:** Member of a formulary committee consults for a drug manufacturer. See Disclosure and Recusal sections.
- A Family Member of an Associated Individual means spouse, natural or adoptive parents, children, and/or siblings, stepchildren, stepsiblings, in-laws, grandparents and grandchildren of the Associated Individual, and any other person who resides in the same household of the Associated Individual. **Example:** Employed physician has in-laws who own a nursing home that may receive referrals from her hospital. See Disclosure and Recusal sections.
- A Related Business Interest means a person, organization or business entity in which an Associated Individual or Family member (a) serves as an employee, officer, director, member, partner, or trustee, or (b) has a financial interest such as ownership, investment, income or similar right or interest that can benefit the Associated Individual or Family member.

Example: An employee’s spouse is an owner of health care products company that does business with the Health System.

- Regarding ownership of outside companies, disclosure and recusal decisions can vary based on factors such as the employee’s role in the Health System, the private or public nature of the company, or its size. See Disclosure and Recusal sections, the policy’s “Frequently Asked Questions” (FAQ) document, or call the Office of Corporate Compliance for further guidance.

Examples of Conflicts

- Outside activities by the Associated Individual, Family member or Related Business Interest that actually or potentially compete with the Health System such as employment by a competitor. Please note that clinicians maintaining hospital staff privileges at a competing hospital is not an inappropriate Conflict of Interest and does not need to be disclosed.
- Outside activities by the Associated Individual, Family Member or Related Business Interest that actually or potentially compromise the Associated Individual’s work or decision-making at the Health System such as employment by a Health System vendor.
- Based on details of the Associated Individual’s role and function at the Health System, the outside activity may not be problematic.

Disclosure

- Disclosure by the Associated Individual is the best first step to avoid any potential issue.
- Associated Individuals must promptly disclose actual or potential conflicts of interest to the Office of Corporate Compliance. Any Associated Individual who intends to enter into any arrangement that could potentially generate referrals must have the arrangement approved by the Chief Compliance Officer prior to entering into it. Please contact the Office of Corporate Compliance regarding any questions about a potential conflict.
- Certain Associated Individuals designated by the Office of Corporate Compliance will complete a Conflict of Interest Disclosure Report upon employment or affiliation with the Health System and at regular times thereafter.
- The Office of Corporate Compliance will advise of next steps, if any, to manage any conflicts.

Recusal

- Following disclosure, Associated Individuals should recuse themselves from discussion or other participation in matters or transactions giving rise to the conflict.
- Recusals should be recorded in committee minutes, if applicable, or documented by supervisors.
- The Office of Corporate Compliance is available to answer questions.

Other Issues

- Associated Individuals must not disclose Health System confidential information to unauthorized internal and external individuals.
- Associated Individuals involved in research are also subject to the Health System’s Conflict of Interest in Research Policy (#GR065).
- Trustees and certain key employees also are required to complete additional disclosure forms related to the Internal Revenue Service Form 990 and CMS-855a Enrollment Form.
- Employees must comply with Health System’s policy 800.03 that restricts the use of Health System work time and other resources on outside engagements.
- This policy’s FAQ document has additional information regarding commonly asked questions.

Gifts and Interaction with Industry Policy and Business Courtesies to Potential Referral Sources Policy

These policies are related to the Conflicts of Interest and Recusal policy and can be consulted for additional information, particularly in cases involving relationships with drug and medical device companies and social gifts and gratuities.

The complete Policy and related materials are available from the Office of Corporate Compliance or visit our Department page on HealthPort.