

AMERICAN ACADEMY OF DENTAL SLEEP MEDICINE

CONFLICT OF INTEREST POLICY

The American Academy of Dental Sleep Medicine (“AADSM”) is dedicated to leading and promoting dentistry’s role in collaboration with physicians in reducing the burden of snoring and sleep apnea. To accomplish that mission, it provides support, directly or indirectly, for a variety of activities in the areas of professional education, practice standards, collaborative care, clinical research and public relations. The integrity of AADSM, and the activities it undertakes, depends on the avoidance of conflicts of interest, or even the appearance of such conflicts, by the individuals involved in those activities.

At the same time, AADSM recognizes that the elected and appointed leaders of AADSM, as well as other individuals acting on its behalf (e.g., staff, committee members, service providers), also have significant professional, business and personal interests and relationships. Therefore, AADSM has determined that the most appropriate manner in which to address actual, potential or apparent conflicts of interest is initially through liberal disclosure of any relationship or interest which might be construed as resulting in such a conflict. Disclosure under this Policy should not be construed as creating a presumption of impropriety or as automatically precluding someone from participating in an AADSM activity or decision-making process. Rather, the Policy reflects AADSM’s recognition of the many factors that can influence one’s judgment and a desire to make as much information as possible available to other participants in AADSM-related matters.

The Basic Policy

Any individual involved in an AADSM activity or decision-making process shall have an obligation to disclose any conflicting or potentially conflicting personal, professional or business interest he or she may have, directly or indirectly, with the affected activity or decision. Potentially conflicting interests may relate to AADSM’s programs and services (e.g., educational courses, research grants, journal matters) or its operations (e.g., contracts with third parties).

In particular, participants in AADSM-related activities must disclose the positions they hold or relationships they have within AADSM and with other organizations or entities that may conflict, directly or indirectly, with their AADSM activities. They also have an obligation to disclose any significant financial interest in, or other relationship with, an entity having a “commercial interest” in the activity or in the outcome or deliverable of the activity. A commercial interest may exist not only where the entity’s products or services are under consideration by AADSM, but also where the entity’s products or services are in competition or potential competition with those under consideration or where the entity’s products or services may be affected by the activity or outcome. By the disclosure of such interests, the Board of Directors or its designee(s) will be in a better position to determine whether the participant may have an interest in conflict with the interests of AADSM.

AADSM primarily is concerned with potential conflicts of interest involving those individuals participating directly in AADSM-related activities. Potential conflicts of interest also may arise, however, if an individual with whom the participant directly shares income (e.g., a spouse, minor child, or business partner) or a third party whose interest may affect the participant's decision-making (e.g., a sibling or adult child) has an interest in, or relationship with, an entity having a commercial interest in the activity or matter under consideration. As a result, participants should disclose not only their own interests or relationships but also those of their spouse or minor children. In addition, participants should disclose interests or relationships held by others that may affect their decision-making (e.g., business partner) but only to the extent they are aware of such information. Participants are under no obligation to determine the nature of every interest held by a sibling, business partner, etc. if they have no independent knowledge of such interests.

Comparable principles apply to participants' obligations to disclose research grants received by the institution(s) with which they are affiliated. In addition to grants received for their own research, participants are presumed to know what grants have been received by other members of their department engaged in research in the field of dental sleep medicine. Therefore, those grants also should be disclosed. In contrast, participants have no affirmative obligation to ascertain the nature of grants received by others in their institution. If they are aware of such grants, however, those also should be disclosed.

Specific Applications of the Basic Policy

In general, participants should err on the side of disclosure if in doubt as to whether it is required under the Policy. Examples of relationships or interests related to AADSM or dental sleep medicine which should be disclosed include, but are not limited to, the following:

Positions in AADSM

All positions currently held or sought in AADSM (e.g., Board or committee member, editor, course or publication contributor), as well as any other current or proposed relationship with AADSM (e.g., service provider, paid consultant) must be disclosed.

Relationships with Other Organizations/Entities

Any leadership role in, or other relationship with, another organization or entity (e.g., board member, committee member, advisor, journal contributor) directly or indirectly related to AADSM or sleep must be disclosed.

Employment

Any current or proposed full- or part-time employment, as well as any employment within the previous three (3) years, must be disclosed.

Consultancies

Any current or proposed consulting arrangements, as well as any consulting performed or paid for within the previous three (3) years, must be disclosed.

Ownership Interests

Any ownership interests (including stock options but excluding indirect investments through mutual funds and the like) in a company, the stock of which is not publicly traded, must be disclosed. Ownership interests in excess of 10% or \$10,000 in a company selling sleep products or services must be disclosed. Ownership interests in excess of 10% or \$50,000 in companies that are publicly traded also must be disclosed. In addition, any other ownership interests in an entity having a commercial interest in an activity or matter under consideration by AADSM must be disclosed. The ownership of a dental practice by a practicing dentist is excluded.

Honoraria

Honoraria or other reasonable payments for seminar presentations, speeches, or appearances must be disclosed in the event the amount paid within the previous three (3) years, or about to be paid, is equal to or greater than \$5,000.00 per year or \$10,000.00 over a three-year period.

Research Funding

Receipt of funds for conducting research must be disclosed.

Travel Grants

Travel grants you have received within the past year must be disclosed.

Gifts

Personal gifts, discounts, or free use of materials or equipment provided by a sleep related business valued at \$250 or more that you have received or will receive in the future must be disclosed.

Speaking Engagements

Paid speaking engagements within the last year or contracts for paid speaking engagements in the future (unrestricted educational grants excluded).

Membership in Industry Speaker's Bureau

Memberships in any industry speaker's bureau must be disclosed.

Disclosure

Integral to the implementation of the Conflict of Interest Policy is the AADSM Conflict of Interest Disclosure Form, a copy of which is attached, which is considered a part of the Conflict of Interest Policy and must be submitted by any individual participating in an AADSM activity. Initially, a participant's obligation to report actual, potential or apparent conflicts is discharged by completing the Disclosure Form. Annual disclosure forms should be updated in writing within 30 days of the development of a new conflict. **Participants always remain under a continuing obligation to report conflicts as they arise, including those that were not reported on the Disclosure Form or any updates, but which later become relevant to the AADSM activity in which they are involved, including during the course of meeting.** At a minimum, conflicts must be disclosed at the start of Board, committee, and other meetings.

Disclosure Forms are kept on file at the AADSM Headquarters for a period of two (2) years, or one (1) year after the conclusion of the relevant activity or decision-making process, whichever is longer, unless otherwise determined by the Board.

The Board of Directors may take any action it deems necessary against any person who fails to disclose a conflict of interest under this Policy, including but not limited to removal from the position.

Implementation

In order to facilitate implementation of the Conflict of Interest Policy, the Board or its designee(s) will determine, based on the Disclosure Form and other relevant information, when an individual engaged in, or about to engage in, an AADSM-related activity or other matter under consideration has an actual, potential, or apparent conflict of interest requiring some response by AADSM. Specifically, subject to the procedures set forth herein, the Board or its designee(s) may require any action they deem appropriate, including, but not limited to, the following:

- 1) Disclosure of the interest to the other participants in the decision- or policy-making body (e.g., Board, committee).
- 2) Written and, in some cases, oral disclosure of the interest (e.g., to an audience receiving the results of clinical research or at scientific or educational sessions).
- 3) Recusal from voting on a matter and limitation of the individual's participation only to the provision of factual information of benefit to the group discussion.
- 4) Complete recusal from a portion of a meeting or from other consideration of the subject matter.
- 5) Replacement of the individual in the affected position or activity.

In most instances, disclosure of the conflicting or potentially conflicting interest will itself suffice to protect AADSM's interests. In other words, once such a conflict is

fully disclosed to the relevant parties, they generally will be able to evaluate the possible influence of the disclosed interest. In situations where such disclosure does not adequately deal with actual or potential problems, however, additional action, including denial of participation in the affected activity or consideration of the matter, may be necessary.

Actions in Response to Specific "Levels of Conflict"

The AADSM Board of Directors has adopted the following specific, non-exclusive examples for action to be taken once actual, potential and apparent conflicts have been disclosed:

Level 1 – Individuals may not hold the position in question unless the conflict is resolved.

- a) Membership in paid or unpaid industry/corporate (for-profit) boards of directors or advisory boards related to dental sleep medicine.
- b) Ownership of either 10% or more or stock worth \$50,000 or more in a company selling sleep products or services. (*The ownership of a dental practice by a practicing dentist is excluded.*)
- c) Recipient of a personal gift (value >\$500) provided by a sleep-related business.

Level 2 - Individuals may hold the position in question but will be recused from voting and participation in AADSM discussions or activities related to the specific conflict, and the conflict will be disclosed to all interested and/or affected parties.

- a) Recipient of a research or travel grant from a commercial entity.
- b) Recipient of a personal gift, discounted or free use of material or equipment of value >\$250≤\$500 provided by a sleep-related business.
- c) Ownership of stock worth at least \$10,000 but less than \$50,000 in a company selling sleep products or services. (*The ownership of a dental practice by a practicing dentist is excluded.*)
- d) Acceptance of payments for speaking engagements from industry, except in the form of an unrestricted educational grant.

Level 3 – Individuals may hold the position in question and the conflict will be disclosed to all interested and/or affected parties.

- a) Recipient of a research or travel grant from a governmental or not-for-profit entity.
- b) Service on the board of directors or medical advisory board of another professional organization.
- c) Membership in an industry speaker's bureau.

A determination of eligibility to participate in an AADSM activity or decision-making process is not necessarily a decision that the individual has “no conflicts,” only that any such conflicts are not deemed significant enough to require the individual’s recusal or replacement.

All participants in AADSM-related activities must comply with the AADSM Conflict of Interest Policy. It is the responsibility of the disinterested members of the Board or designated committee chairs, editors, etc. to interpret and apply this Policy. And, inasmuch as the Policy is stated in general terms, the Board or its designee(s) should use their best judgment in doing so.

Conflicts Administration

The Board of Directors has designated the AADSM Conflicts Review Committee as the committee responsible for receiving Conflict of Interest Disclosure Forms and recommending the appropriate action to be taken in response to participants’ disclosures of actual, potential or apparent conflicts of interest. The Conflicts Review Committee will be composed of the Executive Director, the Secretary/Treasurer, and two additional directors appointed by the Board. In all cases, only disinterested directors, committee chairs, editors, etc. will be eligible to participate in interpreting and applying the Policy.

The AADSM Conflicts Review Committee will review each Disclosure Form to determine whether any action must be taken to disclose a potentially conflicting interest or to limit an individual’s participation in an AADSM activity or decision-making process. Disclosure Forms will be returned to the Executive Director who will conduct an initial review and determination whether review by the full committee is warranted. The Executive Director and/or full Conflicts Review Committee will submit a written report of its recommendation to the Board of Directors. In its discretion, the Conflicts Review Committee may call upon certain officers, directors, committee chairs, or other advisors to assist in assessing the significance of a given interest or relationship to AADSM or dental sleep medicine.

Confidentiality

As a general matter, individual Conflict of Interest Disclosure Forms will not be made available to AADSM members or to others. There are individuals, however, with whom the Disclosure Forms may be shared and/or information regarding the existence of individuals’ interests or relationships may be disseminated where circumstances require further disclosure of an actual, potential or apparent conflict of interest (e.g., at a meeting, at an educational session, in a footnote to an article in an AADSM publication).

Adopted May 29, 2013