CONFLICT OF INTEREST STATEMENT
October 2018 - September 2019
AMERICAN ASSOCIATION OF ORAL AND MAXILLOFACIAL SURGEONS

INTRODUCTION

It is the policy of the American Association of Oral and Maxillofacial Surgeons, as expressed in Section I, General Policies, of AAOMS’ Governing Rules and Regulations, that individuals who serve in elective, appointive or employed offices or positions do so in a representative or fiduciary capacity that requires loyalty to the Association. At all times while serving in such offices or positions, these individuals shall further the interests of the Association as a whole. In addition, they shall avoid: (a) placing themselves in a position where personal or professional interests may conflict with their duty to the American Association of Oral and Maxillofacial Surgeons; (b) using information learned through such office or position for personal gain or advantage; and (c) obtaining by a third party an improper gain or advantage.

This Conflict of Interest Statement requests detailed information in order for the Association to make more precise judgments about potential conflicts. The intent and purpose is to avoid total disqualification of an individual whenever possible, while giving more guidance to individuals who complete the questionnaire. This, in turn, will allow individuals to continue serving the Association except in those areas where there is a specific conflict. Thus, answering “yes” to many or even most of the questions will not automatically disqualify the individual. Indeed, in many instances it is important to have individuals who have a certain level of expertise which can only be attained by affiliations with other organizations or businesses. Similarly, to avoid even the appearance of impropriety, an elected, appointed or employed individual for AAOMS should always disclose any personal relationship which might affect a vote or decision affecting AAOMS.

On the final page of this Statement, there are examples of potential conflicts of interest and what needs to be done to address the conflict. These examples illustrate that affiliations with some organizations or businesses should be avoided when there are fundamental differences with reference to AAOMS policy or business activities (see Examples 1 and 2). However, affiliations with other organizations or businesses may be permitted if the potential conflicts are not so pervasive and the volunteer or employee can resolve the conflict by simply not participating on that particular matter. (See Examples 3, 4 and 5).

In signing this statement, individuals acknowledge that failure to disclose a potential conflict of interest, may subject them to: (1) a vote of no confidence by the Board of Trustees; (2) removal from their position at AAOMS; and (3) referral of a complaint to the AAOMS Commission on Professional Conduct.

All statements must be signed and delivered to AAOMS Headquarters by a date determined each year. The statements will be maintained in confidence at AAOMS Headquarters.
COMPLIANCE WITH CONFLICT OF INTEREST POLICY

Please complete all questions to the best of your knowledge. You may list your answers directly on this form or you may provide your answers on a separate sheet of paper.

The following terms used in this statement have the following meanings:

“AAOMS” means the American Association of Oral and Maxillofacial Surgeons and its subsidiaries and affiliates.

“Material financial interest” means: (i) a financial ownership interest of 5% or more, or (ii) a financial ownership interest which contributes materially to your income, or (iii) a position as proprietor, director, managing partner or key employee.

1. Do you or any members of your immediate family hold or plan to hold a material financial interest in any business which furnishes goods or services, or is seeking to furnish goods or services, to the AAOMS?

   No  
   Yes

   If yes to Questions 1, please list the name of each business and the type of goods or services involved.

   

2. Do you hold or plan to hold a material financial interest in any health care business or health care facility, excluding a private dental practice?

   No  
   Yes

   If yes, please list the name of each business or facility and provide a brief description of the type of business or facility.

   

3. Are you now, have you been within the previous 12 months, or do you anticipate within the next 12 months, becoming a consultant, employee, or agent of any manufacturer, distributor or seller of any dental/dentally-related, medical/medically-related, pharmaceutical/pharmaceutically-related products, or any other health care business or health care business-related products or services?

   No  
   Yes

   If yes, please list the name of each corporation, position held, and term of position, including the same information for any anticipated position. If the manufacturer or distributor is not a nationally known company, please provide a brief description of the company.

   

4. Are you now, or do you anticipate becoming within the next 12 months, a trustee, director, officer, committee or commission member, employee or consultant of any health care organization or health-related professional society?

   No  
   Yes

   If yes, please list the name of each organization, position held, and term of position, including the same information for any anticipated position. If the organization is not a nationally known organization, please provide a brief description of the organization.

   

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5. Do you hold, or do you anticipate holding within the next 12 months, any faculty appointments?

No [ ]
Yes [ ]

If yes to questions 5, please list the name of each institution, position held, and term of appointment.

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6. Are you involved in, or do you anticipate becoming involved in, public representation and advocacy, or being a spokesperson for any product or company, including lobbying on behalf of any organization?

No [ ]
Yes [ ]

If yes, please list the name of each organization and describe the nature of the activities you are or will be involved in.

_____

7. Are you involved in any other personal relationship, activity or interest which may raise a conflict of interest or impair your objectivity on writing articles on OMS issues for the Journal of Oral & Maxillofacial Surgery (JOMS) or other scientific journals or would affect your involvement in AAOMS policies or issues?

No [ ]
Yes [ ]

If yes, please describe each relationship, activity or interest.

_____

I understand that I am expected to comply with the Conflict of Interest policy of the American Association of Oral and Maxillofacial Surgeons, and I agree that as a condition for serving as a member of the committee/commission, or as an employee, I will exercise particular care that no detriment to the American Association of Oral and Maxillofacial Surgeons will result from conflicts, if any, between my interests and those of the Association. In addition, I understand that in order for this Conflict of Interest policy to be effective, I have a continuing responsibility to comply with this policy and I will promptly disclose any new affiliations required to be disclosed under this policy. Having read and understood the Association’s policy and having completed this statement to the best of my knowledge and belief, I agree to be bound by the terms hereof.

Date: ______ Name: ______

Signature: ____________________________________________

Committee/Commission on ______

Please note that this form covers all Commissions, Committees, Task Forces, and Representation activities that you are appointed to or may be appointed to during the appointment year even if not listed above.

Revised, reviewed and adopted by the AAOMS Board of Trustees, 2010
Examples of Conflict of Interest

Organizational goals that are in Conflict: It is axiomatic that a trustee, commission/committee member, spokesperson, consultant or employee would be unable to act in the best interest of the AAOMS and another organization if the fundamental goals of the two organizations were in conflict. In these situations the trustee, commission/committee member, spokesperson, consultant or employee could not fulfill his or her duty of loyalty to the AAOMS.

EXAMPLE 1: A trustee, committee/commission member, spokesperson, consultant or employee of the AAOMS is elected to the Board of Directors of a patient or medical organization that advocates that cosmetic procedures should only be performed by board-certified plastic surgeons with medical degrees.

EXAMPLE 2: A trustee, committee/commission member, spokesperson, consultant or employee of the AAOMS is elected to the Board of Directors of an insurance association that advocates that insurance companies must be free to overrule the medical necessity decisions of doctors when treatment costs are “too high” and not “life threatening.”

RECOMMENDATION: Irreconcilable differences exist between the public health policies of AAOMS and both of these organizations. In order to further the goals of the organization, the AAOMS official or employee would have to breach his or her duty of loyalty to the AAOMS. The AAOMS official or employee should resign from one of the positions.

Goals on Major Policy Issues are in Conflict: A trustee, committee/commission member, spokesperson, consultant or employee may hold a position with another organization that generally strives to support the same dental public health/education/member advocacy goals of the AAOMS. Although the two organizations can be expected generally to support the same dental public health issues, there may occasionally be differences in the policy goals.

EXAMPLE 3: A trustee, committee/commission member, spokesperson, consultant or employee is on the Board of Trustees of a Specialty Organization. The Specialty Organization takes the position that OMS accreditation should be done by the Specialty Organization and not the AAOMS through ABOMS.

EXAMPLE 4: A trustee, committee/commission member, spokesperson, consultant or employee also holds leadership or consulting position in a state or national dental association. While typically, AAOMS and ADA/state dental association positions will be in conformance, certain “issues management” or policy issues may arise where the two organizations are in conflict. For example, a state dental association may take a position that any general dentist should be allowed to perform any OMS procedure under a state dental license, including the administration of general anesthesia/conscious sedation. Another conflict has arisen in the past where the state OMS society advocates for legislative, regulatory or policy action that is opposed or not supported by the state dental association, e.g. legislation to advance the ADA Definition of Dentistry and protect contemporary scope of OMS practice or legislation to support the appointment of an OMS to the state dental board. Such positions may and have in the past conflicted with state dental association positions. While such conflicts are best handled with political sensitivity, in these situations, the individual with the conflict should advise the Board or Committee that the state dental association has a conflict with the policy position and should recuse himself/herself from consideration of the issue.

RECOMMENDATION: In Example 3, the difference is not whether there should be accreditation but which organization should conduct the accreditation process. Thus, the difference involves only procedure, not the fundamental policy underlying accreditation. The AAOMS trustee, committee/commission member, spokesperson, consultant or employee should not debate or vote on the issue of which organization should administer the accreditation process. The individual should advise the Board or Committee of his or her position in the Specialty Organization and recuse himself/herself from consideration of the accreditation issue. In this instance, recusal will be sufficient to satisfy the duty of loyalty to the AAOMS.

Organizations with a Financial Interest in AAOMS Policy:

EXAMPLE 5: An AAOMS committee/commission member is a member of the Board of Directors of a dental manufacturer. The AAOMS committee is considering a policy that would have an adverse effect on the manufacturer.

RECOMMENDATION: The director of a corporation has an affirmative duty to promote the interests and financial well-being of the company and its stockholders. A member of an AAOMS committee, the committee member must be loyal to the AAOMS and at all times while serving on the committee must further the interests of AAOMS as a whole. If the committee is responsible for reviewing the corporation’s products or services or there are other situations in which the
interests of the corporation and AAOMS divide, the committee member would be conflicted and should not participate in the vote on such issues.

Conflicts Involving Competing Business Activities:

**EXAMPLE 6:** A board member of the AAOMS Services, Inc. is a member of the Board of Trustees of an organization that competes with one or more of the business activities of AAOMS Services, Inc. subsidiaries (dental publisher, affinity cards, etc.).

**EXAMPLE 7:** A committee or Board member must vote on awarding a contract to or granting an appointment to an individual who is a classmate from dental school.

**RECOMMENDATION:** In Example 6, the individual, as a member of both boards, will have access to proprietary information on products and services of not only the AAOMS Services, Inc., but also the competing organization. If this person remains on both boards, he or she should not participate in the vote on any issue relating to competing or potentially competing products and services of AAOMS and its subsidiaries or affiliated organizations, and the competing corporation. The Board member may vote on other issues as long as the Board member makes full disclosure of his or her involvement in the competing business.

In Example 7, the individual must disclose the relationship and provide the Committee/Board with the opportunity to determine whether recusal from a vote affecting the individual is warranted. To avoid even the appearance of impropriety, generally, it is preferable for the individual not to vote on a matter affecting an individual to whom he has any personal connection, even if that connection would not be considered a close personal relationship, such as a family member or friend.