

New Brunswick Medical Society Conflict of Interest Policy

POLICY PURPOSE

The New Brunswick Medical Society (NBMS) is committed to fulfilling its mission in an honest and ethical manner. When specific circumstances arise, it is important the NBMS has a clear set of rules to guide conduct for individuals who are members of the Board of Directors (Board) and who are members of committees established by the NBMS. This policy educates on conflicts of interest and outlines a process to identify, declare and address the actual, perceived, and potential conflicts.

DEFINITIONS AND EXAMPLES

For the purposes of this document, the term **member** refers to members of the Board and members of all Board and operational standing committees, subcommittees or working groups.

A **conflict of interest** is a situation in which a member who is in a position of trust and in the discharge of the NBMS's duties and responsibilities has competing business, financial or personal interests. Such competing interests can make it difficult to fulfill duties impartially. Even if there is no evidence of improper actions, a conflict of interest can create an appearance of impropriety that can undermine confidence in the ability of that member to act properly or objectively in their position.

Actual or real conflict of interest occurs when outside interests influence a member's ability to act with integrity, objectivity and independence on a subject relating to the work and mission of the NBMS.

Perceived or apparent conflict of interest occurs when there appears to be an influence affecting a member's ability to act, as judged in the eyes of an outside objective body.

Potential conflict of interest arises when a member is aware of outside interests or connections that may influence if acted upon in the future.

A conflict of interest takes many forms. Examples include but are not limited to the following explanations. In each of these cases the member should declare a conflict of interest.

- The member or their family member, friend, business partner or associate has direct or indirect financial interest in another corporation with which the NBMS is doing business. *Example: The audit committee, and subsequently the Board, is determining the external auditor and a member's partner is a senior executive at the audit firm being considered.*
- The Board is discussing a proposal from the Department of Health. Part of the proposal relates to Medavie Blue Cross, a private, not-for-profit organization, assuming an aspect of public health care delivery. In addition to the responsibilities the member has to the NBMS, the member is also a paid employee of Medavie Blue Cross, tasked with elements of the project being proposed by the Department of Health.
- The Board is considering changes to the WorkSafeNB Program and the associated contract it has regarding service delivery. In addition to the responsibilities the member has to the NBMS, the member is also a paid employee of WorkSafeNB, acting as Medical Director for WorkSafe.
- The member has been an advocate for a particular issue and has a unique or vested interest in the decision before the committee or Board. *Example: The member chairs a Section which is actively*

lobbying government for a financial investment in that specialty. The Board is discussing whether the NBMS should actively support those lobbying efforts.

- The members feel they cannot be objective or impartial during a discussion because their compensation will be impacted, and they have a unique and vested interest in the outcome. *Example: the Board or committee is making decisions with respect to negotiations with government concerning a specific aspect of physician compensation that will apply directly to that member.*

There are several types of interests. The specific facts of any situation must be considered in the context of the decisions being discussed. The following are four types of interests to consider:

1. **Business interest** when the member is closely associated with a corporation, partnership, association, organization, or non-for-profit and has a financial interest or is in a position of influence and responsibility.
2. **Financial interest** when the member may have ownership interest or receive income or interest in property or any other form of compensation.
3. **Personal interest** or **professional interest** when the member or those close to the member may gain career advancement or monetary gain. This includes circumstances where outside personal or professional activities are substantial and demanding of the member's time and attention and will adversely affect the discharge of the member's responsibilities to the NBMS.
4. **Close associate interest** is another person with whom the member has a relationship affecting objectivity and includes persons related by blood, adoption, marriage, or common law marriage.

DETERMINING A CONFLICT OF INTEREST

The following are three good questions to ask when considering a potential conflict:

1. **Do I stand to gain in any way from the outcome of this decision?** If the answer is yes – declare a conflict.
2. **Would others on the Board or committee trust my judgement if they knew of this circumstance?** If the answer is no – declare a conflict.
3. **Do I personally believe I can be impartial regarding this matter?** If the answer is no – declare a conflict.

PROTOCOL

In the event an actual, perceived, or potential conflict occurs, members are required by this policy to do the following:

- **Declare the conflict** – simply by saying “I am declaring a conflict” without the need to explain or expand on the details.
- **Recuse from the decision making and voting process** – step away from the meeting until the topic is concluded at this and future meetings.
- **Remain removed** – refrain from attempting to influence the outcome of the related subject outside of the meeting.

This means members who declare a conflict of interest do not participate in the decision, debate or vote relating to the matter.

Should the chair be the member who is in conflict, another Board or committee member will be asked to chair the discussion while the member withdraws.

In circumstances where a Board or committee chair is made aware of an actual, perceived, or potential conflict of interest which the affected member has not declared, the chair will follow up with the affected member to discuss the circumstances and determine whether a conflict of interest exists in the manner set out above.

RESPONSIBILITY

It is the individual member’s responsibility to identify and manage all forms of conflict of interest.

This is aided by the chair who should routinely ask if an agenda presents a conflict of interest for any member and then manages the process of declaration and the member’s withdrawal from the discussion and vote.

At the same time, all members should support each other in serving as a sounding board and advisor when individual circumstances are being considered.

Conflict of interest is a common and manageable reality in all society meeting settings. A conflict of interest is not, in and of itself, evidence of wrongdoing.

REFERENCES

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| Conflict of Interest Policy | IWK Health Centre |
| Board Code of Conduct | Doctors Manitoba |
| Conflict of Interest Guidelines | Saskatchewan Medical Association |
| Conflict of Interest | Alberta Medical Association |
| Code of Conduct and Conflict of Interest | Doctors Nova Scotia |

	BOARD POLICY
Subject:	Conflict of Interest
Last Approved by the Board:	January 26, 2024

 Member Signature

 Date