

## Definitions

**Family** means any member of the Investigator's immediate family, specifically, any dependent children, spouse, or registered domestic partner.

**Financial Interest** means anything of monetary value received or held by an Investigator or an Investigator's Family, whether or not the value is readily ascertainable, including, but not limited to: salary or other payments for services (e.g., consulting fees, honoraria, or paid authorships for other than scholarly works); any equity interests (e.g., stocks, stock options, or other ownership interests); and intellectual property rights and interests (e.g., patents, trademarks, service marks, and copyrights), upon receipt of royalties or other income related to such intellectual property rights and interests.

Financial Interest does NOT include:

- a) salary, royalties, or other remuneration from Moravian University;
- b) income from the authorship of academic or scholarly works;
- c) income from seminars, lectures, or teaching engagements sponsored by—or from service on advisory committees or review panels for—U.S. Federal, state or local governmental agencies; U.S. institutions of higher education; U.S. research institutes affiliated with institutions of higher education, academic teaching hospitals, and medical centers; or
- d) equity interests or income from investment vehicles, such as mutual funds and retirement accounts, so long as the Investigator does not directly control the investment decisions made in these vehicles.

For Investigators, ***Financial Interest*** also includes any reimbursed or sponsored travel undertaken by the Investigator and related to his/her Institutional Responsibilities. This includes travel that is paid on behalf of the Investigator rather than reimbursed, even if the exact monetary value is not readily available. It excludes travel reimbursed or sponsored by U.S. Federal, state or local governmental agencies, U.S. institutions of higher education, research institutes affiliated with institutions of higher education, academic teaching hospitals, and medical centers.

***Financial Conflict of Interest (FCOI)*** means a Significant Financial Interest (or, where the Provost requires disclosure of other Financial Interests, a Financial Interest) that Moravian University reasonably determines could directly and significantly affect the design, conduct or reporting of PHS-funded research.

***Institutional Responsibilities*** means the Investigator's responsibilities on behalf of Moravian University, which are defined by Moravian as research, research consultation, teaching, professional practice, institutional committee memberships, and service on panels such as institutional review boards (e.g., HSIRB, IACUC).

***Investigator*** means any individual who is responsible for the design, conduct, or reporting of PHS-sponsored research, or proposals for such funding. This definition is not limited to those titled or budgeted as principal investigator or co-investigator on a particular proposal, and may include postdoctoral associates, senior scientists, or graduate students. The definition may also include collaborators or consultants as appropriate.

***Public Health Service or PHS*** means

## **Conflict of Interest**

This policy is predicated on the expectation that Investigators should conduct their affairs so as to avoid or minimize conflicts of interest, and must respond appropriately when conflicts of interest arise. To that end, this policy informs faculty and staff about situations that generate conflicts of interest related to research, provides mechanisms for Investigators and Moravian University to manage those conflicts of interest that arise, and describes situations that are prohibited. Every Investigator must become familiar with, and abide by, the provisions of this policy. If a situation arises raising questions of conflict of interest, an Investigator should discuss the situation with the Provost.

## **Disclosure of Financial Interests**

All Investigators are required to disclose their outside financial interests to Moravian University no later than the time of application for PHS-funded research, and on an annual and an ad hoc basis thereafter, as described below, using the PHS/NIH Financial Conflict of Interest Disclosure Form. This form is available from the Director of Foundation Relations. The Provost is responsible for the receipt, processing, review and retention of disclosure forms.

Regardless of the minimum disclosure requirements, a faculty or staff member, in his or her own best interest, may choose to disclose any other financial or related interest that could present an actual conflict of interest or be perceived to present a conflict of interest. Disclosure is a key factor in protecting one's reputation and career from potentially embarrassing or harmful allegations of misconduct.

Investigators provide the following information for all Significant Financial Interests: name of the entity, nature of the financial interest, the monetary value of the financial interest or its approximate value, and any supporting documentation needed to make a determination of w14 (ed)-4 ( e)4 ( va)4 ((e )-10 (3.9 (et)-4 ( ) (n)-4

**b.**

If Moravian University identifies an FCOI and eliminates it prior to the expenditure of any PHS-awarded funds, Moravian is not required to submit a FCOI report to the respective agency.

## **Subrecipients**

If Moravian University carries out PHS-funded research in collaboration with or through a subrecipient, Moravian as the awardee institution will take reasonable steps to ensure that any subrecipient Investigators comply with FCOI Policy by (1) incorporating as part of a written agreement with the subrecipient terms that establish whether Moravian's FCOI Policy or that of the subrecipient will apply to the subrecipient's Investigators, and (2) providing FCOI reports to the PHS Awarding Component regarding all FCOIs of all subrecipient Investigators prior to the expenditure of funds and within sixty (60) days of any subsequently identified FCOI.

## **Record Retention**

The Provost will retain all disclosure forms, conflict management plans, and related documents for a period of three years from the date the final expenditure report is submitted to the PHS or to the primary PHS awardee.

## **Confidentiality**

To the extent permitted by law, all disclosure forms, conflict management plans, and related information will be confidential. However, Moravian University may make such information available to an agency funding an Investigator's research, to a requestor of information concerning an FCOI related to PHS funding or to the primary entity that made the funding available to Moravian, if requested or required. If Moravian University provides disclosure forms, conflict management plans, and related information to an outside entity, the Investigator will be informed of this disclosure.

## **Public Accessibility**

Prior to the expenditure of funds, Moravian University will ensure public accessibility of information about any FCOI, via response to requestor within five business days of the request, information concerning any Significant Financial Interest that meets the following criteria:

- The Significant Financial Interest was disclosed and is still held by the Investigator;
- A determination has been made that the Significant Financial Interest is related to the PHS-funded research; and
- A determination has been made that the Significant Financial Interest is an FCOI.

The information to be made available will be consistent with the requirements of PHS regulations.

## **Regulatory Authority**

This policy implements the requirements of 42 CFR 50 and 45 CFR 94; where there are substantive differences between this policy and the requirements, the requirements will take precedence.

This policy has been reviewed and accepted by the President's Council (October, 24 2017).

Origination Date: 9/28/2017  
Last Amended Date: 2/20/2023 (College to University only)  
Last Review Date: 10/24/2017