

INTERSTATE MEDICAL LICENSURE COMPACT

#2 – Policy on Conflict of Interest

ADOPTED: June 24, 2016

EFFECTIVE: June 24, 2016

POLICY REVIEWED: February 16, 2021

AMENDMENT HISTORY (LIST WHEN AMENDED AND CITE SECTION NUMBER):

- April 9, 2024 – removed language from paragraph III – *Definitions* regarding expectation of compensation and added a period to last sentence of paragraph III – *Conflict of Interest*.

I. POLICY STATEMENT

Interstate Medical Licensure Compact (IMLC) commissioners and staff members occupy positions of trust and good faith and are obligated to act in the best interest of the IMLC and its member boards without regard to their personal benefit or the interests of other organizations with which they are associated. IMLC commissioners and staff member shall disclose all actual or perceived conflicts of interest and shall recuse themselves from all discussions and decisions when a conflict of interest has been disclosed or identified, unless a majority of the quorum of the IMLC Commission determines otherwise.

II. PURPOSE

The purpose of the conflict of interest policy is to foster public confidence and trust in the IMLC Commission and to protect the interests of the IMLC Commission as it conducts its business. This policy is intended to prevent actual or perceived conflicts of from influencing IMLC commissioners or staff members in the performance of their duties.

III. DEFINITIONS

Conflict of Interest – An actual or perceived conflict of interest exists when a financial or other relationship might directly or indirectly benefit the private or personal interests of an IMLC commissioner or staff member, or prejudice an IMLC commissioner or staff member in business before the IMLC Commission. A majority of the quorum of the IMLC Commission may determine if an actual or perceived conflict of interest exists for an IMLC commissioner or staff member.

Financial Interest – Is an interest, whether through commitment, investment, relationship, obligation, involvement, loan, donation, exchange transaction, or otherwise, direct or indirect, that may influence a person's judgement.

Gift – Is any item or service with monetary value in excess of \$50.00 offered to the IMLC Commission, an IMLC commissioner or an IMLC staff member. The gift might be tangible or intangible.

IV. REQUIREMENTS

1. **Duty to Disclose.** IMLC commissioners and staff members have a duty to disclose all actual and perceived conflicts of interest for themselves or other IMLC commissioners or staff members.
2. **Personal recusal.** IMLC commissioners and staff members who disclose a personal conflict of interest shall recuse themselves from all discussions and decisions, on the matter, unless otherwise determined by a majority of the quorum of the IMLC Commission, or by a majority of a committee designated by the IMLC Commission. The recusal shall be recorded in the IMLC Commission minutes or in a disclosure form provided by the IMLC Commission at the initiation of a meeting.
3. **Commission-directed recusal.** If an IMLC commissioner or staff member becomes aware of the existence of an actual or perceived conflict of interest, the IMLC commissioner or staff member shall provide this information to the IMLC Commission or a committee designated by the IMLC Commission. Upon the commissioner's own motion, or motion of a party, a majority of the quorum of the IMLC Commission may recuse a commissioner upon a determination that the actual or perceived conflict of interest raises an unacceptable risk of bias or prejudice in matters before the IMLC Commission. The recusal shall be recorded in the IMLC Commission minutes or in a disclosure form provided by the IMLC Commission at the initiation of a meeting.
4. **Gifts.** The IMLC Commission shall maintain a public listing of all gifts.
5. **Annual review of this policy.** Each IMLC commissioner and staff member shall annually sign a statement which affirms such person:
 - a. Has received a copy of the conflict of interest policy,
 - b. Has read and understands the policy, and
 - c. Has agreed to comply with the policy.
6. **Administration of this policy.** The IMLC Commission executive committee shall be responsible for administering this policy and ensuring that this policy is current, compliant with all statutory requirements and case law, and consistent with other applicable standards. The executive committee may delegate administration and maintenance of this policy to the IMLC executive director.