



AASM Conflict of Interest (COI) Policy

Effective June 1, 2019

Purpose/Introduction

The purpose of the American Academy of Sleep Medicine (AASM) Conflict of Interest (COI) Policy is to ensure fair and transparent guidelines to maintain integrity, credibility, and ethical standards for individuals serving the AASM in volunteer and elected positions. The AASM recognizes that its members and volunteers are subject to conflicts of interest. This policy outlines the required disclosures of financial or other relationships which may be seen as potential conflicts and the procedures for review and resolution of potential conflicts.

Tiers

Tier 1 includes:

- Board of Directors Officers and at-large members
- Executive Director

Tier 2 includes:

- Editor-in-Chief of JCSM¹
- Deputy Editor of JCSM
- AMA and RUC/CPT Representatives
- Chair, Vice Chair, and members of
 - Clinical Practice Guidelines Task Forces²
 - Position Papers Task Forces²
 - Consensus Conference Panels²

Notes:

¹. *Conflicts for Associate Editors of JCSM will be reviewed and resolved by the Editor-in-Chief of JCSM.*

². *Conflicts unrelated to the topic of a task force or panel should be considered Level 2.*

Tier 3 includes:

- Accreditation Site Visitors, Committee Chair, Vice Chair, and members¹
- Coding and Compliance Committee Chair, Vice Chair, and members²
- All other committee and task force members and other elected or volunteer positions not listed above

Note: Conflicts unrelated to the topic of the committee or task force are not considered conflicts.

¹. *For Accreditation related activities: All conflicts related to establishing sleep entities or providing consulting services related to the establishment or accreditation of sleep entities is considered a Level 1 conflict. Participation in any capacity in the activities of a sleep entity is considered a Level 2 conflict. (It is understood that almost all members of the Accreditation Committee and site visitors will have such a conflict. The purpose of specifying it is to ensure that they will recuse themselves from any accreditation activities that could be perceived to be in competition with their own entity.)*

². *For Coding and Compliance related activities: All conflicts should be reported regardless of relation to topic.*



Levels of Conflict of Interest

Level 1 – Persons with a current level 1 conflict of interest cannot hold the position in question unless the conflict is resolved.

Level 2 – Persons with a current level 2 conflict of interest can hold the position in question but must disclose the conflict and recuse themselves from relevant discussions or votes.

Definitions

For the purpose of this policy, the following definitions apply:

Commercial entity: For-profit manufacturers of sleep-related diagnostic or therapeutic devices, medications or services

Competing Organization: An organization that competes with the AASM for members, journal submissions, education and/or sponsorships.

Sleep Entity: Sleep Laboratory, Sleep Facility or Independent Sleep Practice.

Intellectual Property: A work or invention that is the result of creativity, such as a manuscript or a design, to which one has rights and for which one may apply for a patent, copyright, trademark, etc.

Timeframe

Generally, any conflict that may have occurred prior to the past year is not applicable and should not be considered a Level 1 or Level 2 conflict.

Criteria/Rules

See Exhibit A.

Note: Should a conflict arise that is not outlined within the policy, the AASM Board of Directors has the rights to decide the most appropriate level of conflict to apply.

Conflict of Interest (COI) Committee

The committee shall consist of no fewer than 3 and no more than 5 members. Each member of the committee shall be a member of the Board of Directors. The committee members shall be appointed annually by the Board of Directors. The Immediate Past President is Chair of the COI Committee. The President and the Executive Director shall serve as ex-officio members of the Conflict of Interest Committee.

Mandate: The Conflict of Interest Committee assists the board with the annual review of the



AASM's conflict of interest policy and implementation of the conflict of interest policy. The committee also serves as a panel to review conflict of interest and make recommendation of appropriate action to the Board.

Procedure for the COI Committee

- 1) New nominees to the BOD and AASM committees and task forces identified by the Nominating Committee and the Committee on Committees are asked to complete COI forms. All current BOD and committee members must also complete a yearly COI form in July each year. The executive director must also complete COI forms in July of each year and submit these to the COI Committee.
- 2) These forms are reviewed by the staff and all levels 1 and 2 conflicts of interest with respect to new nominees are referred to the COI Committee. Any changes in COI of existing members are also referred.
- 3) The committee meets as needed (conference call or e-mail discussion) to review these conflicts.
- 4) As needed, the committee reports conflicts to the BOD or Executive Committee. Nominees or existing board or committee members are informed about the policy regarding levels 1 and 2 conflicts. Committee chairs are notified about level 2 conflicts of their members.
- 5) For level 1 conflicts, the replies of the persons involved are referred back to the COI Committee to assess whether the conflicts have been resolved. The committee reports back to the board.
- 6) Should a change of circumstances occur during the course of the year, committee and board members must promptly complete a new COI form which will be reviewed by staff and referred if necessary to the COI Committee for review.
- 7) A similar process will apply if a new task force is set up in the course of the year.
- 8) All COI forms will be retained in the AASM office but will not be placed on the website. However, they will be released on written request by a member of the Academy or the public.

Failure to Disclose

1. The Board of Directors shall have the right to take whatever steps it deems necessary against any person who is required to submit a COI form but fails to disclose a current level 1 or 2 COI. These shall include, but not be limited to, removal from office and banning that person from holding any further office in the AASM for a specified or unlimited time. The same shall apply to persons with level 2 COI who do not recuse themselves as required by these rules.
2. Failure to submit a timely COI form may result in removal from office at the discretion of the BOD.

Exhibit A (COI Policy - Criteria/Rules)

	Direct employment or service as a consultant for a commercial entity with total combined yearly non-investment income derived from such a commercial entity of ≥\$25,000.	Direct employment or service as a consultant for a commercial entity with total combined yearly non-investment income derived from such a commercial entity of <\$25,000.	Direct ownership or ownership by a spouse or children of either more than 5% of a sleep-related commercial entity or stock in such a commercial entity of value greater than \$10,000.
Tier 1	Level 1	Level 2	Level 1
Tier 2	Level 1	Level 2	Level 1
Tier 3	Level 2	Level 2	Level 2

	Acceptance of payments for speaking engagements from a commercial entity, except from an unrestricted educational grant or an ACCME accredited (or similar) program.	Recipient of a personal gift or institutional gift on your behalf, discounted or free use of material or equipment of value ≥ \$1,000 provided by a commercial entity.
Tier 1	Level 1	Level 2
Tier 2	Level 2	Level 2
Tier 3	Level 2	Level 2

	Membership in paid or unpaid commercial entity (for profit) boards of directors or advisory boards related to sleep excluding Welltrinsic and AASM SleepTM.	Member of a Board of Directors or Medical Advisory Board of another professional organization related to sleep medicine, excluding AASM-affiliated organizations such as the AASM Foundation, the American Alliance for Healthy Sleep, the Associated Professional Sleep Societies and the American Board of Sleep Medicine.	Membership in a commercial entity's speaker's bureau.
Tier 1	Level 1	Level 1	Level 1
Tier 2	Level 1	Level 2 (Level 1 if Competing Organization)	Level 1
Tier 3	Level 2	Level 2	Level 2

	Recipient of a research or travel grant from a commercial entity excluding Welltrinsic and AASM SleepTM.	Partial or sole ownership of Intellectual Property related to sleep medicine that produces income or other monetary benefit.
Tier 1	Level 2	Level 1 (if value greater than \$10,000 per year)
Tier 2	Level 2	Level 1 (if value greater than \$10,000 per year)
Tier 3	Level 2	Level 2

Tiers

Tier 1 includes:

Board of Directors Officers and at-large members
Executive Director

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Editor-in-Chief of JCSM¹
Deputy Editor of JCSM
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