

Policy Number: 67

Title: IRB Member Conflict of Interest

Date of Last Revision: July 5, 2007

I. Introduction

UCLA policy dictates that IRB members will not review, participate in the discussion of, or vote upon any research protocol for which they have a conflict of interest. No IRB member can take part in the initial or continuing review of a protocol in which they have a conflict of interest other than to provide requested information.

II. Conflicts of Interest for IRB Members

- A. UCLA policy prohibits IRB members from reviewing, participating in the discussion of, or voting upon any research protocol for which they are involved in the design, conduct or reporting of the research.
1. This prohibition extends to any research protocol for which an IRB member's spouse, registered domestic partner or close relative is involved in the design, conduct or reporting of the research.
- B. UCLA policy prohibits IRB members from reviewing, participating in the discussion of, or voting upon any research protocol which is sponsored by a company in which the committee member holds a financial interest, meaning anything of monetary value, including, but not limited to, salary or other payments for services (e.g., consulting fees or honoraria); equity interests (e.g., stocks, stock options, or other ownership interests); and intellectual property rights (e.g., patents, copyrights, and royalties from such rights).
1. An IRB member is also considered to have a financial interest when his or her spouse, registered domestic partner or dependent child has a financial interest.
- C. All conflicted members must recuse themselves and leave the room for the discussion and vote. The IRB may ask the conflicted member to return to the meeting solely to provide clarifying information about the protocol under review.

III. OPRS Responsibility

- A. OPRS provides IRB Members with guidance about potential conflicts of interest through UCLA policies. Such guidance is given to all members at IRB Member Orientation and throughout their tenure on the Board. This policy shall also be available on the OPRS website.
- B. OPRS includes language on every IRB meeting agenda that prompts members to leave the room during the discussion and vote if they have a conflict of interest, including a financial interest, related to a study on the agenda.
- C. IRB members who are known to OPRS staff to be involved in the design, conduct or reporting of a study are listed on the agenda as having a conflict of interest in the study.
 - 1. Any conflicts disclosed after dissemination of the final agenda shall be noted by OPRS staff and reflected in the IRB meeting minutes.
- D. If a study is to be reviewed under the expedited procedure and the IRB Chair/designee is known to OPRS staff to have a conflict of interest in the study, OPRS staff shall route the study to the IRB Chair/designee who does not have a conflict of interest.
 - 1. If an IRB Chair/designee discloses a conflict of interest in an expedited study after the study has been routed to him or her, the study shall be promptly re-routed to the IRB Chair/designee who does not have a conflict of interest. Any determinations made by the conflicted reviewer shall be invalid.
- E. OPRS staff shall note the recusal of members from the deliberation and the vote in the IRB meeting minutes. The minutes shall note that a conflicting interest was the reason for the recusal.
 - 1. Where the minutes document reviews conducted under the expedited procedure, OPRS staff shall also note any conflicts of interest related to those protocols.

IV. IRB Member Responsibility

- A. It is the responsibility of every member, including those who are unaffiliated members, to recuse themselves from the discussion and the vote if they have a conflict.
- B. When a study is reviewed under the expedited procedure, it is the responsibility of the IRB Chair/designee to recuse themselves from conducting the review if they have a conflict.
- C. IRB members may disclose conflicts as described in Section II or may also voluntarily recuse themselves for personal reasons.

Regulations:

“Objectivity in Research,” 42 *CFR* Part 50; 45 *CFR* Part 94, Federal Register: July 11, 1995
“Objectivity in Research,” *NIH Guide*, Vol.24, No.5, July 14, 1995

References:

Financial Relationships and Interests in Research Involving Human Subjects: Guidance for Human Subject Protection” [<http://www.hhs.gov/ohrp/humansubjects/finreltn/fguid.pdf>], May 5, 2004.

Attachments:

- UCLA-1 UCLA Policy 150: Conflict of Interest
http://www.adminvc.ucla.edu/appm/public/app_0150_0.pdf
- UCLA-6 UCLA Policy 925: Financial Conflicts of Interest in Research
<http://www.adminvc.ucla.edu/appm/public/925.pdf>
- UC-8 University of California Policy: General University Policy Regarding Academic Appointees -- Disclosure of Financial Interest in Private Sponsors of Research (April 1984: APM-028).
<http://www.ucop.edu/acadadv/acadpers/apm/apm-028.pdf>
- UC-12 University of California Policy on Disclosure of Financial Interests and Management of Conflicts of Interest Related to Sponsored Projects, October 15, 1997.
<http://www.ucop.edu/research/policies/coipolicy.pdf>