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Regional Medical Command Center Conflict of Interest Policy

APPROVALS

Final Draft Review and Approval by Policy Review Team on June 00, 2014.
Final Draft Review and Approval by Executive Team on June 00, 2014.
Policy Reviewed and Signed by BPH Commissioner on June 00, 2014.
All approvals are maintained and controlled on the BPH website at
<http://www.dhhr.wv.gov/bph/connections>

Please refer to <http://www.dhhr.wv.gov/bph/connections> for the current controlled revision and approval records.

AUTHOR	REVISED SECTION/PARAGRAPH	REV	RELEASED
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Access <http://www.dhhr.wv.gov/bph/connections> to verify revision.



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PURPOSE

This conflict of interest policy seeks to minimize the influence of secondary interests and guard against the risk that financial interests will have excessive weight in decisions about the provision of patient care, and the development of practice guidelines.

SCOPE


This policy is applicable to Regional Medical Command Centers, their directors, staff, and others acting on behalf of the regional medical command center.

DEFINITIONS

- “Director” means the Director of the Office of Emergency Medical Services within the West Virginia Bureau for Public Health
- “RMCC” means regional medical command center. The four regional centers are as follows:
 - Beckley Regional Command, operating out of Raleigh General Hospital
 - WVU Medical Command, operating out of West Virginia University Hospital
 - Charleston Med-Base, operating out of CAMC General Division
 - Huntington Medical Command, operating out of Cabell Huntington Hospital
- “System” means the State Medical Direction System authorized by *W.Va. Code* § 16-4C-6(a)(5).

RESPONSIBILITIES

- Regional Medical Command Center – Describe the responsible party responsibilities
- Office of Emergency Medical Services – Describe the responsible party responsibilities

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POLICY


1. Overview

RMCC directors, staff, and others acting on behalf of the RMCC have a duty of loyalty, diligence, and confidentiality to the State Medical Direction System. Despite the self-interest that RMCC directors, staff and others acting on behalf of the RMCC inevitably have, those in positions of responsibility, in their fiduciary capacity, must act in utmost good faith on behalf of the State Medical Direction System. In accepting their positions, they undertake to give the System the benefit of their care and best judgment and to exercise the powers conferred solely in the interest of the organization and not for their own personal interest.

Conflicts of interest arise when participants in positions of responsibility have personal or outside financial, business or professional interests or responsibilities that conflict with their duties to the System. The immediacy and seriousness of various conflicts of interest situations can differ. Of basic importance is the degree to which the interest would tend one toward bias or pre-disposition on an issue or otherwise compromise the interests of the System.

A conditional, qualified, or potential conflict of interest can arise when the outside interest is not substantial in size or does not relate significantly to any contemplated action of RMCC. Disclosure is ordinarily sufficient to deal with this type of conflict of interest, provided that there is no expectation that one's duty of loyalty to the System would be affected.

A direct conflict of interest arises when an individual holds a position of responsibility with an RMCC and also holds a material interest in the issue at hand. Direct conflicts of interest arise, for example, when an RMCC, its directors, staff or others acting on behalf of the RMCC, hold a material interest in a decision or a specific transaction made in the performance of his or her duties as a member of the System. Such a situation places the organization or person in the impossible position of attempting to represent both the System and one's organizational or personal interests. The appropriate and necessary course of action in such cases is to disclose the conflict and recuse oneself, i.e., to remove oneself from the deliberations or decision-making process.


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In rare circumstances, an RMCC, its directors, staff or other acting on behalf of the RMCC, may have such a serious, ongoing and irreconcilable conflict, that it seriously impedes one's ability to carry out the fiduciary responsibility to the System. In that case, the RMCC, its directors, staff or other acting on behalf of the RMCC, must resign or otherwise withdraw from the conflict.

Dealing effectively with actual or potential conflicts of interest is a shared responsibility of the individual and the RMCC. Individual and organizational roles and responsibilities with regard to conflicts of interest follow.

2. Detail

- a. All individuals who serve in positions of responsibility within RMCC must not only avoid conflicts of interest, but also avoid the appearance of a conflict of interest. This includes RMCC directors, staff, and other persons acting on the behalf of the RMCC. Decisions on behalf of RMCC must be based solely on the interest of State Medical Direction System. Decisions must not be influenced by desire for profit or extraneous considerations.
- b. RMCC staff and Director shall annually sign a statement acknowledging their fiduciary responsibility to System and pledge to avoid conflicts of interest or the appearance of conflicts of interest.
- c. When an RMCC, its directors, staff or other acting on behalf of the RMCC believes that a conflict of interest may exists and that the potential conflict that has not been properly recognized or resolved, the RMCC, its directors, staff or other acting on behalf of the RMCC must seek an appropriate resolution, whether by removing the RMCC from the conflict, resigning or otherwise withdrawing from the conflict.
- d. Any person may raise the issue of conflict of interest by bringing it to the attention of the Commissioner of the Bureau for Public Health or the Director. The Commissioner or the Director will ensure that proper disclosure and actions taken in regard to those disclosures are a matter of record, and may recommend or order a course of action to resolve the actual or potential conflict.
- e. The failure to comply with applicable rules, policies, procedures or orders of the Commissioner or Director may subject the RMCC, its directors , staff, or

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others acting on behalf of the RMCC, to disciplinary action pursuant to *W. Va. Code R. § 64-48-7*.

APPLICABLE REFERENCES

List of applicable reference documents.


- N/A

QUALITY RECORDS

List of applicable Quality records

- N/A

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Appendix A

Signature Page

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Previous Revisions Date: June 00, 2014

Latest Revision Date: June 00, 2014

Reviewed and Authorized by:

Date Signed: _____