Canadian Network for Observational Drug Effect Studies (CNODES)

Policy on Disclosure of Personal, Occupational, Professional, and Financial Interests Related to CNODES Research

Version 7.1

February 3, 2016

CNODES
CANADIAN NETWORK FOR OBSERVATIONAL DRUG EFFECT STUDIES

Contents

A. Background

CNODES is an important and visible initiative that has the potential to shape thinking about drug safety and effectiveness in Canada and beyond. It is therefore essential that CNODES' scientific processes and reportage are rigorous, transparent, and free of undeclared and unmanaged conflicts of interest (COI). While it is impossible for a large network of researchers such as CNODES to be completely free of potential COI, it is essential that, where actual or perceived COI do exist, they are fully disclosed and managed. CNODES maintains stringent policies and procedures for: proposing and vetting research questions, implementing research protocols, and lodging study results. All of these measures help to minimize the influence of COI. Policies for declaring and managing COI are especially important for those who lead or report the results of CNODES research. Accordingly, no CNODES research will be led by a person who has real or perceived COI. However, such individuals may participate in CNODES research provided that their COI is managed according to the CNODES COI policy.

This policy is guided by principles articulated during a March 2009 workshop, sponsored by the Canadian Institutes of Health Research.[1,2]

B. Applicability

This policy applies to CNODES Investigators, to members of standing CNODES teams (e.g., Database, Methods, Knowledge Translation, Training), and to others who expect to author or co-author a CNODES report or publication (collectively, 'CNODES researchers').

C. Purpose of the Policy

The purpose of this policy is to articulate the procedures associated with identifying and managing actual and perceived COI. The document also guides CNODES researchers on avoidance and minimisation of COI. In this policy, there is an obligation for CNODES researchers to declare any COI annually, at the beginning of any CNODES project in which they will be serving as a member of the Project Team, and at any time when COI arises during the course of a CNODES study (at the earliest possible opportunity). The latter "ad hoc" obligation must be made in writing to the CNODES COI Committee[3]. The CNODES COI Policy is accompanied by a COI Disclosure Form (Appendix 1).

D. Scope of Conflict of Interest

A COI refers to a situation in which a personal, occupational, professional, or financial relationship or activity may affect, or appear to affect, the objectivity of a CNODES researcher with respect to CNODES subject matter. A COI may be real or perceived. For instance, a COI may arise when a CNODES researcher has a personal interest, such as a future business commitment, with the sponsor of a drug that is under study by CNODES. A perceived COI may exist when a reasonable, well-informed person has a belief that a CNODES researcher has a COI, even when said researcher does not believe that a COI exists.

E. Presumptive Prohibitions

Presumptive prohibitions refer to activities that are generally regarded as representing significant COI. As with all COI, significant COI require review by the CNODES COI Committee, which will consider the individual's circumstances and will determine whether the individual should be prohibited from participating in CNODES research, or whether there are compelling circumstances that justify an exception to presumptive prohibition. If the CNODES COI Committee determines that an exception is justified, it will recommend a management plan (see below).

Significant COI includes, but is not limited to:

a. Service by a CNODES researcher or member of his/her immediate family on the Board of Directors or as an officer (see Definitions) of a company/entity that either sponsors a drug that is under study by CNODES or sponsors a drug that directly competes with the study drug;
b. Service by a CNODES researcher on an advisory panel, or as a consultant, to a company/entity that either sponsors a drug that is under study by CNODES or sponsors a drug that directly competes with the study drug;
c. Ownership by a CNODES researcher or any member of his/her immediate family of a significant equity interest (see Definitions) in a company/entity that either sponsors a drug under study or sponsors a drug that directly competes with the study drug; and
d. Receipt by a CNODES researcher or his/her immediate family member of a significant payment (see Definitions) from a company/entity that either sponsors a drug under study or sponsors a drug that directly competes with the study drug.

When the subject of CNODES research is a class of drugs, this policy extends to the sponsors of all drugs within the drug class.

F. Definitions

1. Significant equity interest in a company/entity that sponsors a study drug means any direct stock holding, irrespective of the monetary value. Interest in a publicly traded mutual fund is excluded. Other examples are stock options or other financial interest whose value cannot be readily determined through reference to public prices (generally, interests in a non-publicly traded corporation), during the time the researcher is carrying out the study and in the 3 years preceding the CNODES decision to undertake the study.

2. Significant payments are any direct or indirect payments or gifts of more than nominal value (e.g., fees, including Speaker's Bureau fees, honoraria, research or academic grants, in-kind support, travel support, endowed chair, etc.) made by or on behalf of a company/entity that sponsors a study drug during the period the researcher is carrying out and reporting on the study and in the 3 years prior to commencement of the study. Payments from such sponsors to institutions (e.g., university or hospital) with which a

CNODES researcher is affiliated are not considered a COI so long as these are not payments specifically for the CNODES researcher.

3. Proprietary interest in a study drug means proprietary or other financial interest in the product including, but not limited to: a patent, trademark, a copyright or licensing agreement, or the right to receive income in connection with the development or sale of the drug.

4. Members of the immediate family include the spouse or domestic partner, children, and parents of a CNODES researcher. Disclosures regarding members of the immediate family are expected to be made to the best of one's knowledge.

5. Officers of a company or entity are those individuals with fiduciary responsibility as defined by the operating rules of the company/entity.

6. Related entity means any corporation, foundation, trust, or other entity controlled or directed by the CNODES researcher or his/her spouse.

7. Participation in a CNODES study means membership in a Project Team assembled to investigate the beneficial or adverse effects of a drug or drug class. It also applies to any researcher who has any involvement that they believe qualifies them for authorship of a CNODES report or publication.

8. Compelling circumstances are those in which the CNODES COI Committee considers that the public interest outweighs the influence of an actual or perceived COI. Relevant information to be considered includes, in no particular order: the nature and urgency of the research; the availability of alternative expertise; the magnitude of the researcher's financial interest; the extent to which the financial interest could be influenced by the research (and vice versa); the value of the researcher's contributions; the degree of risk to the public; and whether the COI is amenable to management.

9. Disclosure is described below.

G. Disclosure

1. Annual declarations: CNODES Investigators[4] and members of standing CNODES teams (e.g., Database, Knowledge Translation, Methods, and Training teams) must complete the CNODES COI Disclosure Form annually (regardless of when they last submitted a study-specific COI form). Individuals should err on being overly inclusive in their annual declarations to ensure that the COI committee has an opportunity to discuss these relationships further.

2. Study-specific declarations: All researchers participating in a CNODES research project must declare any COI, as described above, using the CNODES COI Disclosure Form before beginning their participation in each CNODES study. It is the responsibility of

each individual researcher to check whether the companies with whom they have relationships do or do not manufacture drugs that are related to the project at hand. Regardless, any and all COI must be declared.

For individuals required to make multiple declarations, one form per type of declaration (e.g. annual or study-specific) must be completed. In addition, each project requires the completion of a separate disclosure form. Finally, all CNODES researchers must provide an updated COI disclosure form should their disclosures change during their participation in a standing team or during the conduct of a CNODES study.

3. Any CNODES researcher who, according to this policy, has a significant COI and who is permitted to participate in a CNODES study must disclose the existence of the COI at the beginning of the study or when it arises:
    - To the CNODES COI Committee; and
    - On any CNODES reports emanating from the study.

H. Process

1. All CNODES COI declarations are to be submitted to and reviewed by the CNODES COI Committee. For study-specific COIs, declarations are also reviewed by the Project Lead. Declarations should be emailed to the CNODES Coordinating Center via COI@cnodes.ca. COI declarations by members of the CNODES COI Committee are to be submitted to the Executive Director of the Drug Safety and Effectiveness Network (DSEN; currently, Dr. Jeff Latimer), who will either personally review or will arrange for review of the declarations.

2. If the CNODES COI Committee identifies that a CNODES researcher has a significant COI which can be resolved, for example, through divestiture of company stock, the researcher will be given the opportunity to do so.

3. If the CNODES COI Committee identifies that a CNODES researcher has a significant COI which cannot be resolved, the CNODES COI Committee will determine whether or not the researcher may participate in CNODES research. Decisions of the Committee will be by consensus. If there are compelling circumstances (see Definitions) that justify the researcher's participation, the CNODES COI Committee will develop a plan for managing the COI. Examples of possible management strategies include:
    - Permitting participation in study design, but not in data analysis;
    - Permitting co-authorship, but not lead authorship or guarantor status (where a lead author is generally understood to be the individual responsible for drafting the study protocol, leading the conduct of the study, and drafting the study report).

4. If the CNODES COI Committee identifies that a CNODES researcher has a significant COI and, after considering the circumstances, determines that the COI cannot be managed, the researcher will not be permitted to participate in the relevant CNODES study.

5. If the CNODES COI Committee identifies that a CNODES researcher has a significant COI and determines that the COI cannot be managed, the researcher may ask the Committee to reconsider its decision. If unsuccessful, the researcher may then appeal the Committee's decision to the Executive Director of DSEN (currently, Dr. Jeff Latimer). The decision of the Executive Director of DSEN will be final.

6. Nothing in this policy compels CNODES to manage an identified COI.

I. Implementation and Oversight of Conflict of Interest Management Plan

1. Implementation begins with a signed written agreement of the CNODES researcher and the CNODES COI Committee to accept the proposed management plan, with copies to the Executive Director of DSEN. Should a CNODES COI Committee member require a COI management plan, such plans will be proposed by and agreed to with the Executive Director of DSEN.

2. The CNODES COI Committee will obtain written assurance from the CNODES researcher (and others if necessary) of his/her continued compliance with the agreed management plan at a frequency appropriate for the CNODES study and management plan. Such records will be maintained by the CNODES Coordinating Centre, according to the record retention policies of CNODES.

3. The CNODES COI Committee may conduct periodic reviews to assure DSEN that CNODES researchers are complying with an agreed COI management plan.

J. Sanctions

1. If it is suspected that a CNODES researcher has knowingly violated this policy by, for example, failing to disclose a significant COI, the CNODES COI Committee will investigate the circumstances and take appropriate action. Depending on the circumstances and the nature and severity of the COI, such action may include, for example, prohibition from participation in CNODES research, notification to relevant CNODES investigators, and notification to a journal if a report is published without the declaration.

2. If it is suspected that a CNODES researcher has knowingly violated an agreed COI management plan, the CNODES COI Committee will investigate the circumstances and take appropriate action. Such action may include those listed in section J1 (above).

In either case, the affected researcher may ask the COI Committee to reconsider its decisions and, if unsuccessful, appeal the Committee's decision to the Executive Director of DSEN.

K. Policy Approval and Review

This policy was approved by CNODES Policies and Procedures Committee on behalf of the CNODES Investigators[4] on February 3, 2016. It will be reviewed, and if necessary, updated and re-approved annually.

L. References

1. Henry D, Ferris L, Lemmens T, Roos N, Sinclair D, Forbes D, Flood C. The Drug Safety and Effectiveness Network workshop on potential Legal and Ethical Risks Associated with Post-Market Drug Research. Proceedings of an Invitational Workshop. Drug Safety and Effectiveness Network, Canadian Institutes of Health Research. 2009.

2. Ferris LE, Lemmens T. Governance of conflicts of interest in post-marketing surveillance research and the Canadian Drug Safety and Effectiveness Network. Open Med 2010;4:e123-8.

3. Membership of the CNODES Conflict of Interest Committee consists of the CNODES Executive. Non-voting members will also include members of the Coordinating Center administrative staff.

4. CNODES Investigators are: Samy Suissa (Principal Investigator); Colin Dormuth (British Columbia); Brenda Hemmelgarn (Alberta); Gary Teare (Saskatchewan); Dan Chateau and Patricia Caetano (Manitoba); David Henry and Michael Paterson (Ontario); Jacques LeLorier (Québec); Adrian Levy (Nova Scotia); Pierre Ernst (the UK Clinical Practice Research Datalink (CPRD)); Robert Platt (Methods); and Ingrid Sketris (Knowledge Translation).

Appendix 1. CNODES Conflict of Interest Disclosure Form

Version 4.0
February 3, 2016

I have read and understand the CNODES Policy on Disclosure of Personal, Occupational, Professional, and Financial Interests Related to CNODES Research (COI Policy), and I agree to be bound by the obligations contained therein.

I understand that under the CNODES COI Policy, all CNODES researchers are obliged to declare **all** real or perceived COI as defined in the policy to the CNODES Publications and Conflict of Interest Committee. Of particular interest are those activities or interests that have involved:

1. Service by a CNODES researcher or member of his/her immediate family on the Board of Directors or as an officer of a company/entity that sponsors a study drug (or competitor);
2. Service by a CNODES researcher on an advisory panel, or as a consultant, to a company/entity that sponsors a study drug (or competitor);
3. Ownership by a CNODES researcher or any member of his/her immediate family of a significant equity interest in a company/entity that sponsors a study drug (or competitor); or
4. Payment from a company/entity to a CNODES researcher or member of his/her immediate family in the form of but not limited to salary, research or education grants, academic appointments (endowed chairs), consultation fees, speaking fees, meeting or travel grants, honoraria, gifts, etc.

As a CNODES researcher, I also understand that a summary of my conflict of interest declaration may be made publicly available.

I have reviewed my activities and interests as they relate to the matters outlined in the CNODES COI Policy. Attached in Table 1 is a list of those activities and interests.

I hereby certify that I have disclosed all relevant information with respect to matters involving companies or organizations that may place me in a real or perceived conflict of interest. Except as otherwise disclosed in Table 1, I declare that I have no conflict of interest to report, as defined in the CNODES COI Policy.

I promise to inform the CNODES Conflict of Interest Committee of any change in circumstances that may create a conflict of interest, as soon as it is known to me.

Print Name: _____

Signature: _____

Date: _____

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Table 1: CNODES Conflict of Interest (COI) Disclosure Form

Please indicate if you are making an annual, study-specific, or ad hoc COI declaration **(select one type only)**:

☐ **Annual Disclosure**; please specify CNODES role/team(s): _____

☐ **Study-Specific Disclosure**; please specify the name of study: _____

☐ **Ad hoc Disclosure**; please specify disclosure to update: ☐ Annual CNODES Role/Team(s): _____

☐ Study-Specific Name of Study: _____

Disclosures cover all relationships from the last **3 years**. **Annual disclosures** are to be broad, without reference to a particular study drug or competitor. **Study-specific disclosures** are in reference to particular study drugs or competitors. **Ad hoc disclosures** are used to update previously reported annual or study-specific declarations. For each real or perceived COI, please identify the company or organization involved; the year and amount of payment, if applicable; and the drug or topic, if applicable. If you have no real or perceived COI to declare, please indicate this by checking the box below.

Company/Organization	Year	Amount of Payment ($)							Stock/ Stock Option	Endowed Chair	Other Conflict (Nature?)	Drug/Topic, if applicable
		Payment as Advisor or Consultant	Payment as Speaker	Grant: Research	Grant: Education	Travel or Meeting Expenses	Other Honoraria (Nature?)	Other Payment (Nature?)				

☐ I have no real or perceived COI to declare.

Print Name: _____

Signature: _____ Date: _____