

RWJBarnabas HEALTH

Policy: Conflict of Interest

Type: Administrative (ADM) / Human Resources

Applicable To: Newark Beth Israel Medical Center & Children's Hospital of New Jersey , RWJBarnabas Health medical group, RWJBarnabas Health Corporate Services, Children's Specialized Hospital, RWJ University Hospital Rahway, RWJ University Hospital Somerset, RWJ University Hospital, Trinitas Regional Medical Center, RWJBarnabas Health Behavioral Health Center, Jersey City Medical Center, RWJ University Hospital Hamilton, Monmouth Medical Center, Clara Maass Medical Center, Community Medical Center, Cooperman Barnabas Medical Center, Human Resources | The Bridge, Monmouth Medical Center, Southern Campus

Policy Owner: HR Leadership

Effective Date: 7/22/2022

Approved by: CHRO

1. Policy Statement:

Covered individuals of RWJBarnabas Health (RWJBH) shall not enter into business undertakings that involve a conflict between their corporate duties and their personal interest. Covered individuals shall not enter into any transaction or activity where their interest is advanced at the expense of RWJBH.

PURPOSE:

To make certain that an employee does not enter into business undertaking(s) that involves a conflict between the Employer and their personal interest.

A. DEFINITIONS:

1. Covered Individual is a paid officer, and/or an exempt or nonexempt employee.
2. Employer, as used herein, includes RWJBH facilities and all its subsidiaries.
3. Employee or covered individual, includes:
 - a. Any corporation or organization in which a covered individual, spouse, or any family member is an officer, partner, director, consultant, agent, employee or representative, or is directly or indirectly the beneficial owner of any interest (except securities listed on any recognized stock exchange).

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- b. Any trust or other estate in which the covered individual, spouse, or any family member serves as a trustee or in a similar capacity.
- c. Any member of the covered individual's and spouse's family (parent, brother, sister or child or spouse of such relative) wherever residing, and any other relative living in a covered individual's home.

B. CONFLICT OF INTEREST TRANSACTIONS:

1. Transactions in which the Employer is involved shall not be influenced, or reasonably appear to be influenced, by a covered individual's personal interest or relationship.
2. A covered individual or employee shall not have any direct or indirect interest in or relationship with any transaction which might in any way affect his/her objectivity and independence of judgment or conduct in carrying out his/her duties and responsibilities to the Employer.
3. Covered individuals must also refrain from transactions that might in any way embarrass the Employer because others may reasonably misunderstand such interest or relationships.
4. Such transactions, while not including routine business relations such as meals, specifically include the receipt of any gift with a value in excess of \$25.00.

C. CONFLICT OF INTEREST ACTIVITIES:

1. Activities of the covered individual in which other businesses, organizations, or individuals must not interfere or conflict with his/her employment duties.
2. Accordingly, a covered individual may not undertake any activity with or without remuneration, which might:
 - a. Interfere with the proper performance of his/her duties.
 - b. Cause loss or embarrassment to the Employer.
3. This policy covers activities among two or more covered individuals and a covered individual and a member of the medical staff of a hospital when the activity occurs outside ordinary Employer affairs.

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4. Covered individuals, however, may enter into potential conflict of interest transactions and/or activity when it is demonstrably at arms-length transaction or activity and when no interference, influence or embarrassment will in fact be caused. However, such undertaking shall be allowed only when appropriate disclosures and reviews have been made and approval has been granted in accordance with the following two subsections:

D. ADMINISTRATIVE REQUIREMENTS FOR POTENTIAL CONFLICTS OF INTEREST

1. To provide a record and basis for appropriate interest controls, each covered individual shall set forth, in writing, each potential conflict of interest. That disclosure shall include:
 - a. Description of the transaction and/or activity.
 - b. Amount involved.
 - c. Personal interest, direct or indirect, that the covered individual or employee has in the transaction or activity.

The covered individual must obtain approval before entering such an undertaking. If the covered individual has any doubt as to whether a particular situation presents a potential conflict of interest, he/she shall assume that a potential conflict does exist and then act accordingly.

E. APPROVAL AUTHORITY

The facility President and CEO or designee shall approve all employee conflicts of interest. Said designee may be the employee's Vice President or Senior Vice President ("Executive"), provided said Executive shall report said conflict in writing to the facility President and CEO who shall have final authority with respect to resolution of said conflict.

RWJBH STANDARDIZED ORIGINAL DATE: March 1, 2017
REVISED: February 1, 2019

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2. Acronyms:

There are no acronyms associated to this document.

3. Related Documents:

| Document Type | Document Name |
|------------------------|---------------|
| Associated Procedures: | |
| Resources: | |
| Job Aids: | |
| Regulatory references: | |