



Conflict of Interest Policy

It is in the best interest of the Pennsylvania Athletic Trainers' Society Inc. (PATS) to be aware of and properly manage all conflicts of interest and appearances of a conflict of interest. This policy is designed to help directors, officers, members and volunteers of PATS identify situations that present potential conflicts of interest and to provide PATS with a procedure to appropriately manage conflicts in accordance with legal requirements and the goals of accountability and transparency in PATS

Volunteer leaders of nonprofit organizations are often not aware that their voluntary roles come with certain legal obligations. They are required to act in the best interests of the volunteer organization - to avoid disclosing confidential information, and to avoid conflicts of interest.

A conflict of interest is a situation in which a person has a private or personal interest sufficient to appear to influence the objective exercise of his or her official duties. [MacDonald, C, McDonald M, Norman, W., "Charitable Conflicts of Interest", *Journal of Business Ethics*, 39:1-2, 67-74, August 2002. (p.68)]

This policy includes all PATS Executive Board [EB], volunteers, or other members of PATS who function in any capacity with PATS delegated powers.

The purpose of this policy is to protect PATS' interest when it is contemplating entering into a transaction or arrangement that might benefit the private interests of an EB member, volunteer or other member of PATS. This policy is not intended to replace any state and federal laws governing conflicts of interest applicable to nonprofit organizations.

This policy asks PATS EB to make a periodic review of all compensation and financial interests as they relate to an individual person and/or PATS. A person, who has a financial interest, either direct or indirect, through business, investment, or family as well as gifts or favors, is reviewable by this policy.

A financial interest is not necessarily a conflict of interest. If it is believed that an actual or potential conflict of interest exists:

- a) The person who has an actual or possible conflict of interest must disclose its existence to PATS EB including all supportive material facts. [See Appendix]
- b) Any PATS EB member or volunteer with interest shall be prohibited from any taking part in any decision or discussion by PATS EB on any matter that gives rise to a conflict between their personal interests and the nonprofit's interests. - See more at:
<http://www.councilofnonprofits.org/conflict-of-interest#sthash.5t01x24z.dpuf>



If PATS EB believes that a board member or volunteer has reasonable cause to believe any individual serving in a PATS delegated capacity has failed to disclose actual or possible conflicts of interest, it shall inform the individual of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose. After hearing the individual's response and taking any further investigative steps, PATS EB shall determine the status of the conflict of interest, and shall take disciplinary and corrective action.

To ensure PATS operates in a manner consistent with charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, periodic internal reviews shall be conducted. These should include, but are not limited to, annual financial reports, and any other action which is necessary for effective oversight.

PATS, its constituents, and its governing board have a right to expect a decision-making process that is independent, objective, and unbiased. Those participating in the decision-making process must give the organization fair warning - and possibly take corrective action - if they have interests that conflict or compete with those of the organization.

It is PATS EB, not the volunteer making a disclosure of the other interest, that has the exclusive authority and responsibility to decide an appropriate reaction to the disclosure. This may be:

- **Disclosure.** The disclosure regarding a volunteer's other interest is worthy of the board's attention; but the disclosure itself, and the board's awareness of the disclosure, is considered sufficient to correct for any bias that it might entail. In short, the board would likely decide that although the volunteer clearly has some other interest, the board will simply take the information into account as the volunteer participates in decision-making.
- **Recusal.** The other interest that has been disclosed affects an important policy or program for the nonprofit organization. To assure the organization and its constituency that board decision-making is without bias, it is best for the volunteer to recuse him/herself when the board takes reports, debates, or makes decisions, regarding that policy or program. In short, the volunteer would be asked to sit out of any work of the board in the area where he or she has other interests.
- **Resignation.** The other interest relates to a continuing, pervasive, and important board function, one that cannot easily be isolated on an agenda so as to permit recusal. In this case, the volunteer might be asked to resign his/her position, since this is the only way to ensure that the other interest does not intrude upon and skew board decision-making. While this is an extreme and rare result of a volunteer's disclosure, it is sometimes the best and only fair alternative.



Yvette Ingram, PhD, LAT, ATC
Pennsylvania Athletic Trainers' Society, Inc.
President

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All discussions, response or action by PATS EB concerning this Conflict of Interest Policy should be documented through minutes of PATS EB.

Name of Board Member/Volunteer (Print)

Date

Signature of Board Member/Volunteer

Jacobs, JA. American Society of Association Executives' *Association Management*, May 2003

California Athletic Trainer's Association, Code of Ethics, Conflict of Interest

Canadian Athletic Therapists Association Code of Ethics; Conflict of Interest 3-8c, rev. May 2012

National Athletic Trainers' Association Code of Ethics, Conflict of Interest, Principle 4, rev. Sept 2005

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Appendix --- Disclosure Statement

Advance Disclosure Requirement and Reporting Procedure

Each PATS director or volunteer will disclose each issue, subject, person or entity in which s/he has a financial or other interest where there is the potential that PATS Executive Board may make decisions that affect that issue, subject, person or entity. To ensure accurate, up to date information, each PATS director or volunteer will review his or her disclosure statement during on-site meetings and update as necessary.

Each director or volunteer will describe clearly his or her interest in each such issue, subject, person or entity, on this form supplied by, and returned to PATS Secretary. The information on this form will be reviewed by PATS President and Executive Director, and shared with PATS Executive Board if relevant to the discussion at hand.

Financial Disclosure(s)

Please indicate any relevant financial interests below, including source of income, amount and impact.

Non-financial Disclosure(s)

Specify any relevant interests of a non-financial nature here.

I have nothing to disclose.

Signature _____ Date _____

Print name _____ District _____

Reviewed & updated (Please initial any changes.)

Signature _____ Date _____



Yvette Ingram, PhD, LAT, ATC
Pennsylvania Athletic Trainers' Society, Inc.
President

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Reviewed and updated (Please initial any changes.)

Signature _____ Date _____

PRINCIPLE:

Members shall not engage in conduct that could be construed as a conflict of interest or that reflects negatively on the profession.

4.1 Members should conduct themselves personally and professionally in a manner that does not compromise their professional responsibilities or the practice of athletic training.

4.2 Pennsylvania Athletic Trainers' Society current or past volunteer leaders shall not use PATS logo in the endorsement of products or services or exploit their affiliation with PATS in a manner that reflects badly upon the profession.

4.3 Members shall not place financial gain above the patient's welfare and shall not participate in any arrangement that exploits the patient.

4.4 Members shall not, through direct or indirect means, use information obtained in the course of the practice of athletic training to try to influence the score or outcome of an athletic event, or attempt to induce financial gain through gambling.

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