

**Policy Adopted Effective
The 27th day of September, 2007**

**NCQA Policy and Procedures for Disclosure and Management of Potential
Conflicts of Interest for Committees
(Conflict Policy)**

Introduction

In order to fulfill NCQA's mission and vision of improving health care quality through measurement, transparency and accountability, NCQA must obtain the participation and input of many diverse constituencies and experts in the development process for health care quality standards, performance measures and other products. These diverse stakeholder interests are intended to enrich and strengthen NCQA's work. NCQA also recognizes, however, its responsibility to ensure that conflicting interests of individuals and their employers are balanced and that conflicts of interest are minimized. Since participants and their employers may have competing or biased interests and/or receive financial sponsorship from organizations, these interests need to be disclosed and evaluated so as to guard against undue influence or the appearance of undue influence or conflict of interest.

The goal of this Conflict Policy is to ensure that decisions which impact development of NCQA's products and services are made as objectively as possible, without improper bias or influence. Disclosure of material interests (as defined below) provide notice to NCQA and other participants of the interest and potential bias of the disclosing party and enables others to evaluate the disclosing party's opinions and recommendations in light of this interest. Where an interest is material (as defined below), NCQA's awareness of a possible participant's potential bias, coupled with recusal of the disclosing party from applicable votes, deliberation on items that implicate the interest, and possible discontinued participation, helps to promote fair and objective decision-making.

Application of Policy

This policy applies to the Committee on Performance Measurement, Standards Committee, Committee for Physician Programs (collectively the "Stakeholder Committees") and any committee, work group, measurement or technical advisory panel that participates in the development of or makes recommendations to a Stakeholder Committee regarding NCQA performance measures or standards (the Stakeholder Committees and any committee, work group or technical assistance panel that makes product recommendations to a Stakeholder Committee will hereinafter be referred to individually as a "Committee" and collectively as the "Committees"). This policy does not apply to NCQA's advisory groups or councils (e.g., Consumer Advisory Council, Public Sector Advisory Council) which do not make recommendations directly to a Stakeholder Committee.

Disclosure and Review Procedures

Prior to appointment to a Committee, potential appointees will complete the Disclosure Statement and Acknowledgement of Compliance attached hereto as Exhibit A (the “Disclosure Statement”). Completed Disclosure Statements will be reviewed by the Conflict Review Committee which shall be comprised of the President of NCQA, the General Counsel and the Vice President responsible for oversight of the applicable Committee for which appointment is sought (the “Conflict Review Committee”). The Conflict Review Committee will review the completed Disclosure Statements and determine whether an individual is eligible for appointment to a Committee.

On an annual basis at the first meeting of a Committee during any calendar year, each member of the Committee will complete a written Disclosure Statement and the Committee members will engage in an oral disclosure of their affiliations and potential conflicts or biases. The Conflict Review Committee will review the completed Disclosure Statements to determine whether a Committee member remains eligible for continued participation on a Committee or has potential conflicts or undue bias that impact or restrict the Committee member’s participation on a Committee. The NCQA Vice President in charge of the Committee will alert the Chair of a Committee to any identified potential restrictions for Committee members identified by the Conflict Review Committee.

The Chair of a Committee is responsible for managing potential conflicts or undue bias that may arise during a Committee meeting. The Chair along with the NCQA Vice President in charge of a Committee, will determine whether a potentially conflicted or biased Committee member may participate in discussion, needs to be recused from voting on an issue or other actions that may be necessary to ensure that Committee decisions are made without undue influence or undue bias. To the extent possible, in order to be eligible to serve as Chair of a Committee, a person must be substantially free of personal financial conflicts. The Chair of a Committee is subject to the same requirements for conflict disclosure and recusal as all other members of a Committee.

The NCQA Office of General Counsel will be the custodian of all completed Disclosure Statements. It is the obligation of a Committee participant to timely update his or her Disclosure Statement annually and as often as necessary following any change in any Material Interest. Updates should be directed to the attention of the NCQA Office of General Counsel. If an item comes up for discussion or deliberation before a Committee in which a Committee member has a Material Interest, the Committee member must verbally disclose the Material Interest to the Committee prior to participating in the discussion or deliberation. Given the goal of obtaining the input of diverse but balancing stakeholders, the existence of a Material Interest by virtue of an employment relationship will not automatically disqualify an individual from participation on a Committee or eligibility to serve as Chair of a Committee.

Disclosure of Material Interests

“Material Interest” - A “Material Interest” is defined under this Policy to include the Committee member or their family members’ current or within the preceding twenty-four months direct or indirect:

- Ownership interest in an entity or activity or the existence of a financial relationship with an entity or an activity that is impacted by or relates to, the activities of NCQA and that contributes to the annual pre-tax income of the Committee member or their family member (examples include but are not limited to, stock or other ownership interests [with the exception of mutual fund investments]), receiving sponsorship for research; receiving speaking honorarium, payments for consulting services); or
- Position as owner, director, officer, key employee, agent, consultant in or for an entity where the entity’s or activity’s products, services and/or organizational goals are or could be financially impacted by the actions or proposed actions of NCQA.

An entity has an interest that “relates to the activities of NCQA” if the entity is or could be eligible to participate in one of NCQA’s programs (e.g., accreditation, certification, recognition), is or could be the subject of reporting data under NCQA’s performance measures, or is an organization that sells products (e.g., pharmaceuticals, devices, software) whose business interest could be impacted depending on the specifications of NCQA’s performance measures and standards. A material interest does not result solely from performing clinical procedures or services in the course of the Committee participant’s professional practice. Disclosure of the activities or interests of an employee’s employer apply only to the extent the interest is known by the Committee participant.

“Family Member” includes the spouse, domestic partner, parent, child or sibling of a Committee participant. Disclosure of a family member’s ownership interest or position applies only to the extent the interest or position is known by the Committee participant.

NCQA Committee Disclosure Statement and Acknowledgement of Compliance

Instructions: Please review your Disclosure Statement and return the completed form to: Office of the General Counsel, 1100 13th Street, NW, Suite 1000, Washington, DC 20005. You must update the Disclosure Statement within 30 days of any change in any “Material Interest” as defined in the NCQA Policy and Procedures for Disclosure and Management of Potential Conflicts of Interest for Committees and Product Advisory Groups (Conflict Policy).

Profile:

Name: _____

Title: _____

Employer, if applicable: _____

Position Responsibility with employer, if applicable _____

Mailing Address: _____

City: _____ State: _____ Zip code: _____

Telephone: _____ FAX: _____

Email: _____

Areas of expertise in performance measurement or health care quality improvement (please attach a brief description or provide a brief bio-sketch).

Disclosure:

Committee participants must disclose in writing all Material Interests of the participant or his/her family members as defined in the NCQA Policy and Procedures for Disclosure and Management of Potential Conflicts of Interest for Committees and Product Advisory Groups (the “Conflict Policy”). Committee participants shall make timely updates to this Disclosure Statement as often as is necessary.

Check as applicable:

___ Neither I nor my family members have any Material Interest as defined in the Conflict Policy.

___ I/my family member(s) have an ownership interest in an entity or activity or the existence of a financial relationship with an entity that is impacted by or relates to

the activities of NCQA and that contributes to my/my family member's annual pre-tax income.

Please describe:

- ___ I/my family member am/is an owner, director, officer, key employee, agent, consultant for an entity or activity, where the entity's or activity's products, services and/or organizational goals are or could be financially impacted by the actions or proposed actions of NCQA.

Please describe:

- ___ I am not aware of any other interest of mine or a family member that could cause the perception of undue bias or influence on my part with respect to my participation and involvement with the activities of the Committee.

- ___ I am aware of the following interests of mine or a family member that I believe should be disclosed to NCQA in order not to create the perception of possible undue bias or influence on my participation and involvement with the activities of the Committee.

Please describe:

- ___ I sit on a committee or the Board of an organization that is a competitor of NCQA.

Please Describe:

Statement of Compliance:

I understand that I am expected to comply with the NCQA Conflict Policy. To my knowledge and belief, I am currently in compliance with the Conflict Policy. I understand that I have a continuing responsibility to comply with the Conflict Policy. Prior to participating in deliberation of a specific agenda item, I will verbally disclose any Material Interest(s) as required to be disclosed under the Conflict Policy, and I will further recuse myself from voting on specific agenda items in which I (or a family member) have a material interest.

Signature: _____

Print name: _____

Date: _____

For NCQA Internal Use Only:

Name of Committee/work group or technical assistance panel

Yearly Submission: _____ Update: _____

Date Reviewed by the Conflict Review Committee: _____

Eligible for appointment: Yes _____ No _____

Comments:

Date results of review reported back to Committee Chair: _____