

Evaluating the Impact of Conflicts of Interest: Addressing the Risks

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Healthy Kids Panel: Provincial Case Study

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The provincial government has decided to bring together a panel of content area and strategy experts, health care leaders, non-profit organizations, media organizations, and the private sector such as the food industry, to provide advice and develop recommendations on how to best meet the goal of reducing childhood obesity in the province by 20 per cent in five years.

As a public health physician, you have been asked to be a member of the panel. You find that the panel has a high level of representation from industry, with diminished representation from experts in medicine/public health, policy, and behavioural sciences. The private sector includes members of media who have concerns about restrictions on publicity and different sectors of the food industry who also have high concerns on any restrictions on their businesses.

Public Trust in Experts

WHO and the pandemic flu “conspiracies”

Key scientists advising the World Health Organization on planning for an influenza pandemic had done paid work for pharmaceutical firms that stood to gain from the guidance they wrote. These conflicts of interest have never been publicly disclosed by WHO. **Deborah Cohen** and **Philip Carter** investigate

BMJ 2010; 340:c2912



Public Trust in Experts

“...three key WHO scientists who advised the stockpiling of pandemic flu drugs had financial and research ties to Roche and GlaxoSmithKline

— vaccine and antiviral manufacturers who stood to profit. The advisers disclosed the WHO, but the WHO publicized the conflicts how it would deal with

“...one expert on the WHO’s secret 16-member “emergency committee” — which decides whether and when to declare a pandemic — received payment from GlaxoSmithKline in 2009. The WHO insists that committee members’ identities be kept secret in order to protect them from being targeted by drug companies, but the report scrutinizes how this kind of secrecy may hinder accountability.”

Lea You “WHO Scientists Received Funds From H1N1 Drug Companies”
Fairwarning, June 4, 2010

Public Trust in Experts

Jan 29, 2011 - 18:53

swissinfo.ch

Concern as Novartis exec approved to WHO group



Herrling has put forward a proposal to raise vital funds for research into diseases such as dengue fever (Keystone)

RELATED STORIES

by Jessica Dacey, swissinfo.ch

An executive at Swiss group Novartis has been appointed to a World Health Organization body advising on research despite criticism it may lead to a conflict of interest.

Paul Herrling, the Swiss head of corporate research at pharmaceutical concern Novartis, was among 21 people approved this week to join a WHO expert group evaluating funding for projects into neglected tropical diseases – those illnesses affecting the poorest populations.

He is the only expert in the group who is also an executive in the drugs industry.

Professional Objectivity

- Can consultants both audit and give financial advice to companies?
- Are politicians influenced by financial contributions to their campaigns/parties?
- Are health professionals influenced by industry gifts?
- Can judges hear any sort of case?
- Are professors always impartial in their research or teaching?



“I don't think I'm God. God like, yes, but not God.”

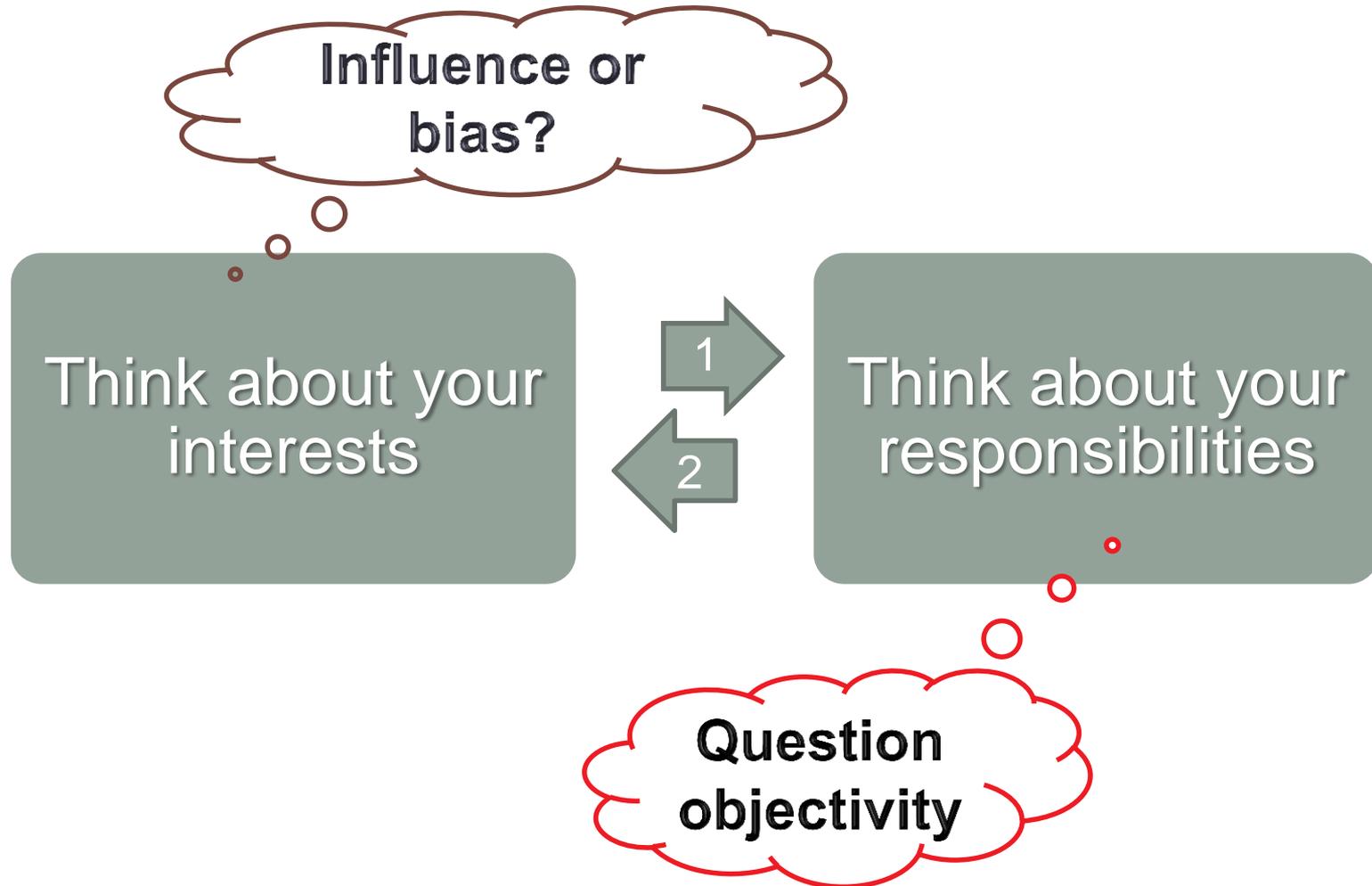
We're all Ethical...Aren't We?



“...individuals view themselves as moral, competent, and deserving, and this view obstructs their ability to see and recognize conflicts of interest when they occur.”

Chugh, D., Bazerman, M.H. & Banaji, M.R. 2005. “Bounded ethically as a psychological barrier to recognizing conflicts of interest” In *Conflicts of Interest: Challenges and Solutions in Business, Law, Medicine, and Public Policy*, edited by D.A. Moore, D.M. Cain, G. Loewenstein & M.H. Bazerman. (Cambridge: Cambridge University Press), p.75.

Awareness & Reflexivity



Identification

Problem:

- The individual **believes they can identify and manage** their COI by themselves.

BUT...

- **Cannot be neutral** regarding our own COI

Solution:

- **Another's gaze** permits one to have another perspective
- Training and experience (examples, case studies, etc.)



Evaluation

Questions to help consider the risks involved:

- Which **actors** are implicated in the COI?
- What **responsibilities** are in conflict?
- What **interests** are in conflict?
- Are the interests **significant** for those actors involved?
- Are **reputations** (individual, institution) jeopardized?
- How is the COI **perceived** by people external to the institution?
- What are the **risks and harms** caused by the COI?
- What **actors** could be affected by the risks and harms?

Management



The management approach is intimately linked to the evaluation of the COI

Objective: Reduce risks

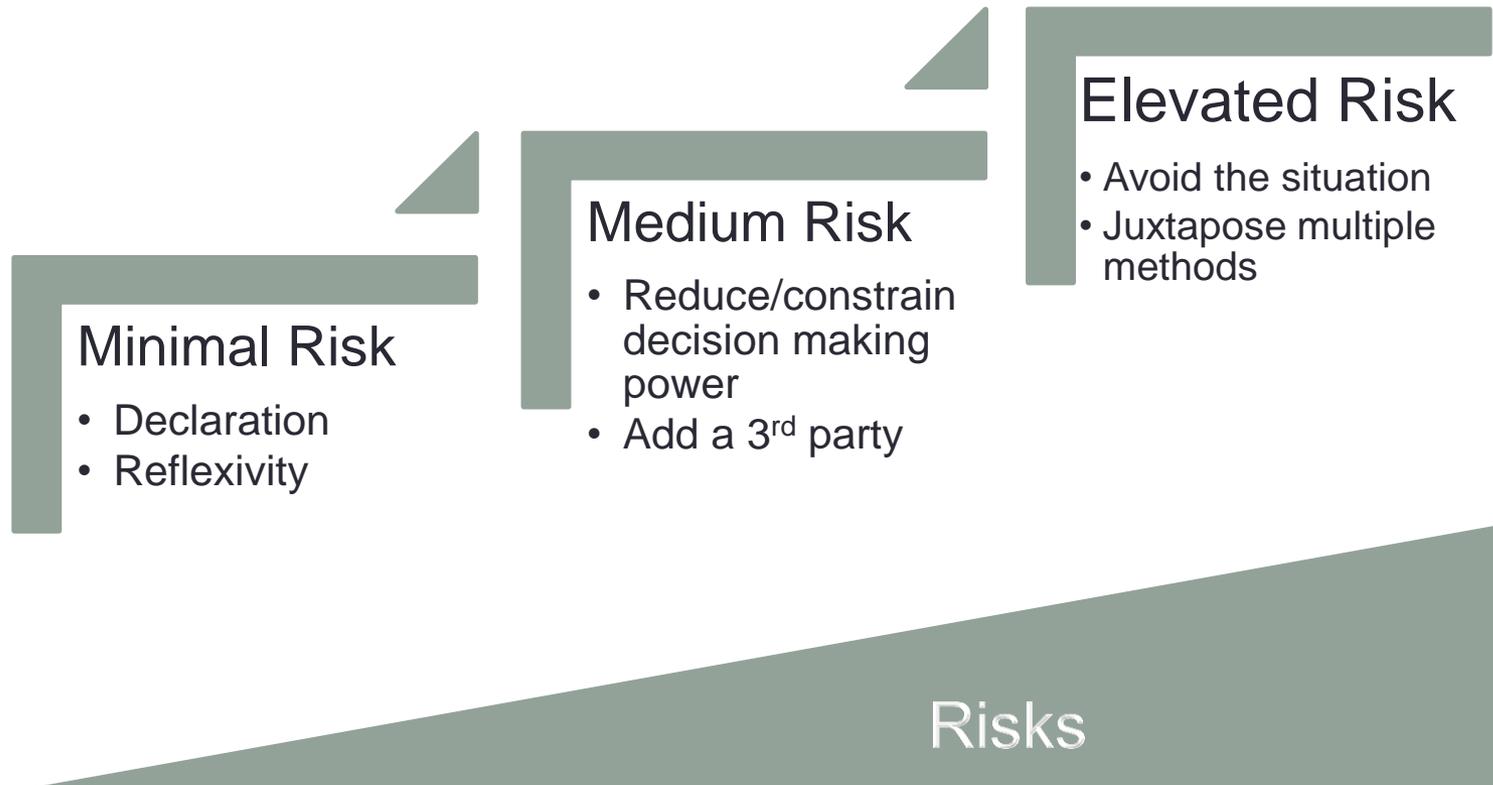
Declaration / Transparency (disclose how and to whom?)

- To the public on a website?
- In a publication?
- To other participants?

Other mechanisms

- Reflexivity
- Avoid COI
- Add a 3rd party
- Funds managed by others
- Recuse from decision making

Risks



A Model for Ethical COI Management

Educational PHASE

Know what a COI is and appropriate policies

- What type? Financial or non-financial; Institutional; Researchers; panel members...
- What policies are you subject to?

PHASE 1

Know yourself, the actors and evaluate the risk

- Where in the world are the COI? They're "in the professional" and "in the professional setting"
- Who's involved, what are their/your interests?
- Is there a problematic COI situation (actual/potential; financial/non-financial)?

PHASE 2

Know the context and how to manage it

- *What is?* and *What if?*
- What are the benefits/risks of different resolution strategies?

PHASE 3

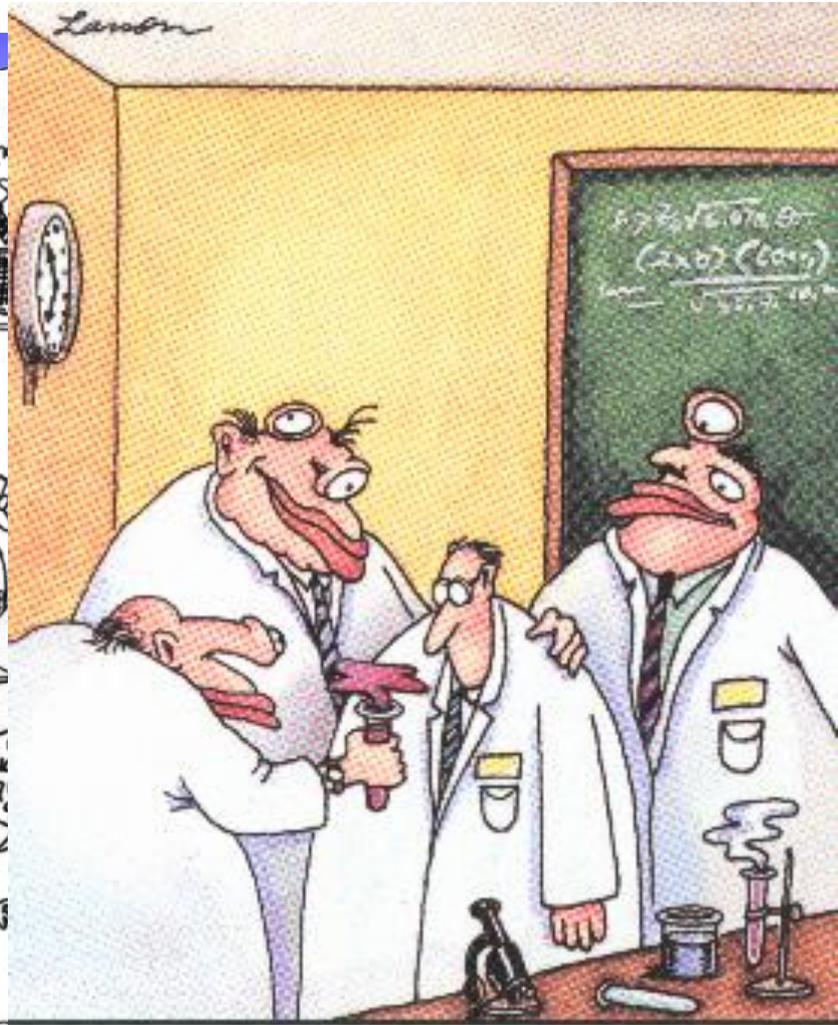
"Take Home Messages"

- What can we do better in the future:
 - As a professional - for future education and practice
 - In terms of practice - to inform policy makers

Key Messages

- COI **can** and **must** be managed
 - 1) awareness, 2) identification, 3) evaluation, 4) management
- Declaring interests should be part of a **transparent** and **fair** process in order to maintain trust of those involved, and the public.
- In case of uncertainty about COI management:
 - Ask the advice of a colleague
 - Consult institutional guidelines
 - Consult managers or superiors

Language, dialogue, humility



Disclosure ≠ transparency

We're never fully objective

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Questions



- What should guide a public health physician in deciding whether to participate in a policy-making panel in this context?
 - What are the advantages of participation by a public health physician in an industry-weighted panel?
 - What are the disadvantages?
- If you decide to join the panel, is it your responsibility to highlight the impact of interest group participation and the conflict of interest that this creates?
 - How would you address this?
 - Would this be internal to the working group, discussion with the federal government, etc.?

Questions



- What features of transparency and scrutiny might help the panel retain some effectiveness in advancing public health?
 - What procedures might be helpful?
- What are the ethical concerns at play?
 - What ethical framework is helpful in evaluating competing concerns here?

Questions



- Conflict of interest considerations are often applied to public servants standing to gain privately from their actions on behalf of the public. Companies or organizations lobbying for private gains resulting from public decisions are often framed as interest groups.
 - Will a framing as a conflict of interest be helpful?
 - Can conflict of interest concepts be used with the panel to guide/constrain decision-making on aspects of the policy-making?
- Are there any factors specific to the provincial government that affect your answers to the previous questions?

Other Questions?