

Conflict of interest safeguards for the State Innovation Model Initiative (SIM)

WHEREAS, The SIM is a federal grant initiative to develop reforms in population health, healthcare delivery and payment in Connecticut;

WHEREAS, the Center for Medicare and Medicaid Innovation (CMMI) has explicitly determined that a pre-condition of receiving the federal grant is the creation of an advisory process that includes all the multiple stakeholder groups impacted by SIM;

WHEREAS, the state believes it is in the best interest of the state and its citizens that advisory processes include all of the stakeholder groups impacted by population health, health care delivery and payment reform activities;

WHEREAS, Under the State Code of Ethics a “Member of an Advisory Board” means any individual (A) appointed by a public official as an advisor or consultant or member of a committee, commission or council established to advise, recommend or consult with a public official or branch of government or committee thereof, (B) who receives no public funds other than per diem payments or reimbursement for his or her actual and necessary expenses incurred in the performance of his or her official duties, and (C) who has no authority to expend any public funds or to exercise the power of the state.

WHEREAS, The State Code of Ethics does not treat SIM participants as public officials but as members of an advisory board to whom the State Code of Ethics and associated conflict of interest provisions do not apply;

WHEREAS, Notwithstanding the inapplicability of the State Code of Ethics it is in the interests of transparency, fairness and full participation that the SIM adopt a set of standards to avoid substantial conflicts of interest consistent with Section 1-85 of the State Code of Ethics;

WHEREAS, CMMI has affirmed that the SIM adoption of conflict of interest standards as stated below is consistent with other SIM processes in Minnesota and Vermont;

NOW THEREFORE BE IT RESOLVED, that the following protocol follows the provisions of the State Code of Ethics regarding substantial conflicts of interest while allowing for the full participation of all of the various parties as required by the federal grant and in the best interests of the state of Connecticut and is agreed to so as to ensure transparency, fairness, and high standards of conduct:

1. The SIM governance structure is comprised of a Healthcare Innovation Steering Committee, Consumer Advisory Board, and various Councils and Task Forces, which are solely advisory in nature and as such will not have a direct role in managing resources, financing initiatives or making funding award decisions.
2. All procurements pertaining to SIM related initiatives will be undertaken by the state, primarily through the SIM Program Management Office (“PMO”) or through state agencies, and will not be undertaken by the Healthcare Innovation Steering Committee or other SIM advisory bodies.
3. If the SIM PMO requests advice from an advisory body regarding the allocation of resources to support an initiative, it is the duty of the members of that body who have, or whose organizations have an actual, perceived or potential financial interest in the matter to disclose that information to the advisory body immediately. At that time the member has the option of recusing himself/herself. If the member does not ask to be recused from the discussion, then the advisory body will immediately determine if a conflict or potential conflict of interest exists. If so, the member who could directly benefit from such decisions or whose organization would directly benefit will be asked by the advisory committee chair(s), after the committee’s discussion, to recuse himself/herself from participating in the discussion regarding the item in question. A member does not have a conflict of interest if there is an actual, perceived or potential financial benefit (or detriment) to the member or the member’s organization that is no greater than that of the member’s or the member’s organization’s profession, occupation or group.

4. Members of the advisory bodies may participate in program design and development decisions, even if they or their organizations may potentially reap a benefit (or detriment) from such programs with the proviso that:
 - a. The deliberations of the advisory bodies regarding such program design and development decisions are public,
 - b. Materials prepared to support such deliberations and meeting summaries are published on the SIM website at www.healthreform.ct.gov and available to members of the public without restriction,
 - c. The member discloses the member's or the member's organization's actual, perceived or potential financial interest in such program design or development decisions as described in paragraph 3, above, and
 - d. The member or the member's organization does not have a conflict of interest as defined in paragraph 3 above.
5. At such time that the state determines to proceed with a procurement, the state will prepare and undertake such procurements in accordance with the state's procurement guidelines. The preparation of the procurement materials and the conduct of the selection of a successful bidder(s) will be strictly confidential until such time as the procurement documents become part of the public record. The SIM advisory bodies will not participate in such procurements nor have access to information pertaining to a procurement, while such procurement is in process.
6. The state may, in its procurement process, include state agency personnel as well as outside stakeholders, including stakeholders that may be members of a SIM advisory body. However, such participants will be required to sign a statement of compliance with applicable provisions of the State Code of Ethics, which provide assurances that participants maintain confidentiality and do not have any interest that substantially conflicts with the proper discharge of their duties in the public interest, as defined in paragraph 3 above.

Policy Acknowledgement:

I, _____, a participant in the Connecticut State Innovation Model (SIM) initiative governance process as a member of the Steering Committee and/or one or more Advisory bodies to SIM, acknowledge having received, read, and understood the SIM Policy on Conflicts of Interest dated _____, and agree to adhere to it.

Date: _____

Signature: _____

Name (print): _____