

National POLST Conflict of Interest Policy Frequently Asked Questions

Below are some questions and answers about National POLST's [Conflict of Interest \(COI\) Policy](#) that are hopefully helpful. If you have any questions not addressed here, please either email [Amy](#) or ask in the [forum](#).

1. What is a conflict of interest (COI) policy?

Strong conflict-of-interest policies are essential documents for non-profit organizations. They should cover two types of relationships:

- The entity's relationships with other organizations. A policy is needed to provide a framework by which to evaluate all potential engagements (see definition in #2) an entity may be offered in order to determine if the opportunity has an actual or perceived inappropriate benefit for one party. The National POLST Leadership Council approved a [COI policy](#) governing National POLST's relationship with other entities; that is the policy these Q&As address.
- The entity's governing board members' relationships with other organizations. The purpose of this Conflict of Interest Statement is to inform the Leadership Council about what conflicts of interest do or may exist and help ensure the avoiding of conflicts of interest where necessary. Not all conflicts of interest are necessarily harmful or prohibited but it is important to know about any actual, perceived or potential conflict-of-interest so that it can be managed appropriately.

2. What are "engagements"?

The National POLST Leadership Council (Leadership Council) wanted the COI policy to be broad enough to cover different types of relationships National POLST may want to consider with other entities. The term "engagement" is used and is defined in our policy as:

"grants; contracts and other transactions that provide for mutual legal obligations; and donations, including money, property, in-kind contributions and all other kinds of support. Engagement also includes strategic partnerships, sponsor recognition, product certification or endorsement, and cause marketing. Engagement does not include routine commercial transactions with vendors or the sale of goods in the open market, nor collaborating with other entities to respond to a legislative or regulatory issue. If there are doubts about whether a relationship would be covered by this policy, the question should be referred to the Leadership Council President and the Executive Director at the earliest possible opportunity."

3. What is the philosophy of our COI Policy?

National POLST was founded in an ethical framework and, therefore, has always strived towards the highest ethical standards. Recognizing that the health care field is constantly evolving, our goal in crafting our COI policy was to develop a versatile framework and process that could be used to evaluate every proposed opportunity - today and in the future.

With this policy, we are making a commitment to:

- Transparency about who and what entities are engaged with National POLST; and

- Inclusion and acknowledgment of all POLST Programs. Although POLST Programs are established independently, housed in different organizations, and use different internal policies and procedures, all programs support and implement National POLST. All support (in-kind, volunteer, financial, etc.) provided by POLST Programs should be acknowledged.

4. Are POLST Programs required to follow this COI policy?

No; this policy applies only to National POLST. The Leadership Council encourages each POLST Program to have its own COI policy, reflecting its own values and philosophies. Programs are free to copy this COI policy in part or in full.

Any COI policy, however, should be thoughtfully drafted and provide POLST Program leadership guidance about the appropriateness of engagements and of the various players and optics surrounding any engagement. A poorly drafted policy can easily, and unnecessarily, expose a POLST Program (and, by extension, National POLST) to criticisms.

5. How was this COI Policy drafted, reviewed and approved?

This COI policy was first created and adopted as part of National POLST's separation from Oregon Health & Science University (where it had been housed since 2004) in 2017. The COI Policy was a product of two years of discussion among national leaders and external advisors. It was updated with the change in National POLST's organizational structure at the beginning of 2018.

6. Are there any opportunities that are automatically non-starters under the COI Policy?

Yes. Our guiding principle is that any engagement opportunity **must** be committed to National POLST's mission, vision, essential values and support our core programmatic objectives articulated in National POLST's [strategic framework](#). Additionally, the COI Policy clearly states, "National POLST will not enter into any engagement that compromises its integrity, violates any federal, state or local law, is financially unsound, could expose National POLST to unacceptable liability or other adverse consequences, or is contrary to the goals of National POLST."

If the engagement opportunity doesn't match each of these requirements, it is a non-starter. The Leadership Council is responsible for reviewing and evaluating engagement opportunities, considering all these elements.

7. Who is on and what is the Leadership Council?

All 501(c)(3)s (non-profit organizations) are required to have a board overseeing the legal and financial aspects of the non-profits. [Tides](#), which is a 501(c)(3), is our fiscal sponsor and ultimately has that responsibility. However, National's [strategic plan](#) called for the development of a board like that of an independent 501(c)(3)); this group is called our Leadership Council. The Leadership Council is responsible for, among other things, the sustainability of National POLST and working with the Plenary Assembly, the group of POLST Program leaders responsible for the programmatic direction of National POLST.

8. Why is transparency important and how is transparency being increased?

POLST is not a cost-saving tool or measure; it is a voluntary approach to end-of-life planning that emphasizes eliciting, documenting and honoring the treatment preferences of seriously ill or frail individuals using a portable medical order called a POLST form.

To emphasize this, we believe it is important National POLST be transparent about all our engagements: not just direct financial support, but what relationships we enter into, what individuals or entities have input on our mission, vision, essential values and core programmatic objectives and goals. Our goal is to avoid having, or appearing to have, a conflict where the POLST can be seen as a cost-saving tool for insurance companies.

We have posted our COI Policy [online](#) and who we've received funding from [here](#). National POLST plans to continue to share all its engagement information and consider other ways to be transparent. For example, we are going to post collaborative information online (like [here](#)). If you have suggestions, please let us [know](#).

9. Is National POLST tracking relationships and funding sources?

Yes. If anyone requests who we work with or who we've received funding from, we can provide that information.

10. How will the Leadership Council share what engagement opportunities it is considering (or has considered)?

The process of evaluation is still new, but we may use our forum to share or seek information about engagement opportunities. Any entity with whom we do decide to have a relationship with or accept funding from will be public information (likely posted online—see Question 8 above).

11. How is National POLST currently funded?

While almost all National POLST funding is from grants, a small amount comes from individual donors, either personal donations or donations through employers by members of National POLST. If you wish to donate, please [read more on our donation web page](#).

12. Does National POLST anticipate industry sources becoming the mainstay of support?

No. While there is no formal policy in place, the goal was for industry support to remain below 50% of the overall financial portfolio for National POLST.