National Cancer Institute (NCI)/Division of Cancer Treatment and Diagnosis (DCTD)

Conflict of Interest Policy for NCI/DCTD-supported Cooperative Group or National Clinical Trials Network Randomized Phase 2 and Phase 3 Clinical Trials

Background

Financial conflicts of interest (COI) in research, as a result of financial relationships and the financial interests they create, may affect the rights and welfare of human research subjects. Consideration has been given to identify possible actions to be taken to protect human research subjects from an investigator's conflicts of interest.

The Department of Health and Human Services has recommended investigators consider the potential effect an investigator's financial relationship with an industry sponsor could have on a clinical trial and suggests actions to mitigate the potential effect of the conflict, one of which is including information about the investigator's conflict in the informed consent form.

It is the recommendation of the National Cancer Institute's (NCI) Division of Cancer Treatment and Diagnosis (DCTD), and the intent of this policy, to ensure those involved in development and analysis of NCI/DCTD-sponsored clinical trials do not have financial interests potentially affecting the rights and welfare of human research subjects therefore obviating the requirement for informed consent disclosure. In order to avoid placing the names of individuals in the model consent form for NCI/DCTD-sponsored clinical trials, the following policy has been adopted as the ethical floor upon which each Cooperative Group or Network Group should base their COI policy.

Policy

a) Public Health Service (PHS) Policy – De minimus Threshold

NCI/DCTD intends to follow the PHS conflict of interest policy (Title 42, Subpart F, Sec. 50.603) regarding interests requiring disclosure as the de minimus value. PHS defines significant financial interest related to the investigator, their spouse, and dependent children that must be disclosed as follows:

1. For publicly traded entity: significant financial interest exists if the value of any remuneration received from the entity in the twelve months preceding the disclosure and the value of any equity interest in the entity as of the date of disclosure, when aggregated, exceeds $5,000. Remuneration includes salary, and any payment for services not otherwise identified as salary (e.g., consulting fee, honoraria, paid authorship); equity interest includes any stock, stock option, or other ownership interest, as determined through reference to public prices or other reasonable measures of fair market value.
2. For non-publicly traded entity: significant financial interest exists if the value of any remuneration received from the entity in the twelve months preceding the disclosure, when aggregated, exceeds $5,000, or when the investigator holds any equity interest (e.g., stock, stock option, or other ownership interest),
3. Intellectual property rights and interests (e.g., patents, copyrights), upon receipt of income related to such rights and interests.
4. Reimbursed or sponsored travel related to their institutional responsibilities however disclosure does not apply to travel that is reimbursed or sponsored by a Federal, state, or local government agency, an institution of higher education, an academic teaching hospital, a medical center, or a research institute that is affiliated with an institution of higher education.
5. The following types of financial interests are not included: salary, royalties or other remuneration paid by the institution to the investigator if the investigator is currently employed or otherwise appointed by the institution.

b) Food and Drug Administration (FDA) Policy – Maximum Threshold

NCI/DCTD intends to follow the FDA's conflict of interest policy [21 CFR 54.2 (f)] regarding interests requiring disclosure as the maximum threshold above which an investigator cannot be involved in the development and management of a clinical trial. The FDA defines significant financial interest related to the investigator, spouse, and dependent children that must be disclosed as follows:

1. Payments from sponsor in excess of $25,000 per year during the research and for one year after, not including compensation for research costs
2. Any financial arrangement in which value of compensation could be influenced by outcome of the study
3. Equity interest in a publicly traded corporation exceeding $50,000 a year during time of research and one year after;
4. Any ownership interest, stock options, or other financial interest in a nonpublicly traded company whose value cannot be readily determined through reference to public prices.

c) American Society of Clinical Oncology (ASCO) Policy

ASCO has developed a stringent conflict of interest policy; however it has exempted National Institutes of Health (NIH)-sponsored clinical trials because "NIH-sponsored trials feature sufficient safeguards to ensure objectivity and independent review of safety and other data developed in the trials." (JCO, Vol 21, No 12 (June 15), 2003: pp 2387-2393) NCI/DCTD supports ASCO's policy which acknowledges the processes for clinical trial development and monitoring have been designed to eliminate the possibility of one individual possessing significant influence potentially resulting in personal benefit.

NCI/DCTD proposes that financial interests above de minimus value and below the FDA standard be disclosed to the Cooperative Group or Network Group and included in the Central Institutional Review Board (CIRB) Application. The financial conflicts of interest whose value falls between the two identified thresholds should be managed by the Group.

If the Group believes that an individual's conflict of interest, with value falling between the two identified thresholds, should not disqualify her/him from a leadership position in the study, then the Group should submit a Conflict of Interest Management Plan accompanying the CIRB Application. The management plan should discuss the general elements that pertain to assuring unbiased data collection and review in Group trials including the following:

1. Independent review of study by Cooperative Group or Network Group beyond Disease Committee
2. Independent review by NCI/DCTD
3. Independent review by a Data and Safety Monitoring Board
4. Statistical management of data independent of study chair
5. Any additional measures proposed by the Group.

The CIRB will be asked to comment on this "Conflict of Interest Policy for NCI/DCTD-supported Cooperative Group or Network Group Randomized Phase 2 and Phase 3 Clinical Trials" and add three questions to the CIRB Application as follows: 1) Does the Study Chair or any principal involved in the development or coordination of this study have any significant financial conflicts of interest as defined in the "Conflict of Interest Policy for NCI/DCTD-supported Cooperative Group or Network Group Randomized Phase 2 and Phase 3 Clinical Trials"? 2) If so, does the Cooperative Group or Network Group have a management plan in place to address the conflicts disclosed in question #1? 3) If so, a copy of the Management Plan should be attached.

In recognition of the safeguards from financial conflicts of interest provided to human subjects throughout the study continuum by the Cooperative Group or Network Group and NCI review processes outlined above, the current system does not permit an individual to influence a trial potentially resulting in personal benefit. Therefore placing the names of individuals in the model consent form for NCI/DCTD-sponsored Cooperative Group or Network Group studies is not warranted.