



State of West Virginia *Board of Medicine*

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WEST VIRGINIA BOARD OF MEDICINE RESOLUTION CONCERNING CONFLICTS OF INTEREST

WHEREAS, the West Virginia Board of Medicine ("Board") is charged with the responsibility of acting in the public interest in performing its duties of licensure and professional discipline of physicians, podiatrists, and physician assistants; and

WHEREAS, the Board is entrusted with the general authority to carry out the responsibilities set forth in the West Virginia Medical Practice Act, West Virginia Code §30-3-1 et seq., and Rules promulgated thereunder, the Board members have the responsibilities of public servants and public officials pursuant to West Virginia Code §6B-1-1 et seq.

WHEREAS, the giving of time and service by the members of the Board because of their varied backgrounds, interests, professions and partialities may result in a duality of interest which might be interpreted as a conflict of interest; and

WHEREAS, this giving of time and service nevertheless carries with it a strict duty of loyalty to the Board and a fiduciary obligation to conduct the affairs of the Board with honesty and as a public trust, exercising care, skill, judgment and high moral and ethical standards for the benefit of the Board and the public to which the Board is accountable,

NOW THEREFORE BE IT RESOLVED; that the following policy of conflict of interest is hereby adopted:

1. Members of the Board shall exercise the utmost good faith in all matters touching upon their duties to the Board. In their dealings with and on behalf of the Board, they are held to a strict rule of honest and fair dealing between themselves and the Board. They shall not use their positions or knowledge gained therefrom for personal gain or advantage, so that a conflict might arise between the duty of the Board of accountability to the public and that of the interest of the individual.

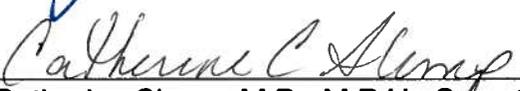
2. Any possible conflict of interest on the part of any member of the Board shall be promptly and fully disclosed by the interested Board member to the other members of the Board when the interest becomes a matter of Board action. The minutes of the meeting shall reflect that such a disclosure was made, as well as the abstention from voting of the interested Board member.
3. Any Board member having a possible conflict of interest on any matter shall refrain from using his or her personal influence on the matter, but may briefly state his or her position and answer pertinent questions of other Board members prior to leaving the room at the time of voting.
4. Any Board member who has cause to believe that a matter to be voted on might involve any other Board member in a possible conflict of interest may, and is expected to, raise such a question. If the Board member about whom the possible conflict of interest question is raised does not agree that an actual or potential conflict of interest exists, he or she may explain his or her position and a question whether an actual or potential conflict of interest exists shall be decided by a majority vote of the Board members present, with the Board member in question abstaining from the vote.
5. This policy shall be distributed to and reviewed regularly for the information and guidance of the Board, and any new Board member shall receive a copy of this policy upon assuming the duties of his or her office.
6. This policy and the procedures outlined shall also apply to members of any committee of the Board carrying out its duties on behalf of the Board.

Originally Adopted July 11, 1988
Amended May 10, 2010

WEST VIRGINIA BOARD OF MEDICINE



John A. Wade, Jr., M.D., President



Catherine Slomp, M.D., M.P.H., Secretary