



AMERICAN ACADEMY OF  
ORTHOPAEDIC SURGEONS

AMERICAN ASSOCIATION OF  
ORTHOPAEDIC SURGEONS

---

# AAOS Policy for a Fellow or Member Who Fails to Disclose Conflicts of Interest Accurately and Completely When Required

Version Number: 1.0

## Notices

This document contains Information protected by copyright. No reproduction of this document or part of this document is permitted without prior written consent of American Academy of Orthopaedic Surgeons and American Association of Orthopaedic Surgeons (AAOS).

The Information in this document is subject to change without notice.

Product names mentioned herein may be trademarks and/or registered trademarks of their respective companies.

Information in this document may be confidential or proprietary to the AAOS.

This document was written and produced by:  
American Academy of Orthopaedic Surgeons  
9400 West Higgins Road  
Rosemont, Illinois 60018-4976

## Table of Contents

1	AAOS Orthopaedic Disclosure Program Background.....	<b>Error! Bookmark not defined.</b>
2	Definitions.....	<b>Error! Bookmark not defined.</b>
3	Directions for Handling Failure of Fellow or Member to Disclose Accurately and Completely when required.....	<b>Error! Bookmark not defined.</b>
4	Summary .....	<b>Error! Bookmark not defined.</b>
5	Board of Directors Approval.....	

## Revision Log

Date	Author	Modifications	Document Version
Jan 1, 2021	Governance/Legal	Revisions to update policy to align with AAOS Mandatory Disclosure Policy	1.0

## 1 AAOS Orthopaedic Disclosure Program Background

- 1.1 Each Fellow or Member participating in an AAOS CME program, serving as an author of enduring materials, as a member of the AAOS Councils, Committees, Project Teams or other official AAOS groups, editors-in-chief and editorial boards or AAOS guideline development workgroups has the obligation to disclose all potentially conflicting interests accurately and completely through the AAOS Orthopaedic Disclosure Program.
- 1.2 Each Fellow or Member is responsible for providing accurate and complete information to the AAOS Orthopaedic Disclosure Program regarding the nature and financial extent of his or her relationships with commercial entities relating to orthopaedics and other health care entities. In addition, each participant is also responsible for providing accurate and complete information regarding their non-direct patient care income. The disclosure information must be updated at least semiannually (usually April and October). It is recommended that participants note any changes to the AAOS Orthopaedic Disclosure Program as soon as possible after the changes occur.
- 1.3 The AAOS Mandatory Disclosure Policy expressly provides that “a failure of a required participant to participate in the AAOS Orthopaedic Disclosure Program will result in the participant being asked not to participate in the AAOS CME program, the AAOS governance group, as editor-in-chief or on an editorial board and AAOS guideline development.”
- 1.4 All Fellows and Members are encouraged to participate in the AAOS Orthopaedic Disclosure Program.

## 2 Definitions

Terms used in these Procedures are defined as follows:

**BOC** – AAOS Board of Councilors

**BOD** – AAOS Board of Directors

**BOS** – AAOS Board of Specialty Societies

**Committee on Ethics and Outside Interests (CEOI)** – Volunteer structure with oversight of AAOS Orthopaedic Disclosure Program reporting to the AAOS Board of Directors

**Continuing Medical Education (CME) Program** – Educational content presented at AAOS CME event, i.e. live events, webinars

**Executive Team Leader** - Chief Executive Officer, Chief Operating Officer, Chief Human Resources Officer, Chief Quality and Registries Officer, or Chief Commercial Officer

**Fellows** – AAOS members meeting the requirements of Association Bylaws Section 4.2

**Governance** – AAOS Office of Governance

**Governance Unit** – AAOS volunteer structure, i.e. Board of Directors, Board of Councilors, Board of Specialty Societies, Council, Committees Advisory Board, Project Team, Task Force, Work Group

**Governance Unit Chair** – Leader of Board of Directors, Board of Councilors, Board of Specialty Societies, Council, Committees Advisory Board, Project Team, Task Force, Work Group

**Legal** – AAOS Office of General Counsel

**Members** – AAOS members meeting the requirements of Association Bylaws Section 4.3.

**President** – AAOS President

**Supporting AAOS Staff** – AAOS staff serving in staff liaison role that supports an AAOS activity covered under the AAOS Mandatory Disclosure Policy

### 3 Directions for Handling Failure of Fellow or Member to Disclose Accurately and Completely When Required

- 3.1 Upon receipt of notice that an AAOS Fellow or Member has failed to disclose a conflict of interest accurately and completely when required, AAOS staff shall discuss the disclosure matter with the Fellow or Member who failed to disclose. If unsuccessful in obtaining the disclosure, AAOS staff shall then talk with the appropriate Governance unit Chair. From these discussions, AAOS staff will follow AAOS Mandatory Disclosure Policy in an effort to obtain the Fellow or Member’s disclosure, time permitting.
- 3.2 If unsuccessful in obtaining a disclosure, staff will prepare a summary with recommendations on handling the matter, including the following information:
  - 3.2.a. The identity of the Fellow or Member and his/her role within the project/program;
  - 3.2.b. Background on the project/ program/guideline involved;
  - 3.2.c. Documentation on attempts to have the Fellow or Member complete the Disclosure Report accurately and completely; and
  - 3.2.d. Any materials related to known conflict(s) of interest (e.g., prior disclosures; industry website disclosure report, if available/applicable).
- 3.3 The summary will be presented to the Department Manager and/or Executive Team Leader for review and resolution of the disclosure issue in conjunction with the Governance unit Chair.

- 3.4. If the issue cannot be satisfactorily resolved and there is no disclosure, AAOS staff shall submit an updated summary, with supporting materials, to the Director, Governance and Office of General Counsel. The Director, Governance and Office of General Counsel shall determine the appropriate action for AAOS to take. The Director, Governance and Office of General Counsel will inform the Presidential Line of any actions under consideration for failure to report. In addition, as appropriate, the Director, Governance and Office of General Counsel will request the assistance of the Committee on Ethics and Outside Interests regarding appropriate actions for failure to report.
- 3.5. All incidents of failure to accurately and completely disclose must be submitted to the Director, Governance and Office of General Counsel.
- 3.6. On an annual basis, the Committee on Ethics and Outside Interests will review a report developed by the Director, Governance and Office of General Counsel documenting any and all incidents of failure to disclose accurately and completely within AAOS programs.

## 4 Summary

The AAOS disclosure and conflict of interest processes are being developed and reviewed with the goal of transparent and appropriate decision-making. This protocol was developed to provide guidance to the various Governance unit Chairs, Editors, and appropriate staff on challenging conflict of interest issues. This protocol may be modified as other AAOS policies and procedures are developed.

## 5 Board of Directors Approval

Adopted: September 23, 2011

Revised: December 3, 2021