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|  | Title:Proficiency Analytical Testing Board (PAT Board)<br>Volunteer Conflict of Interest and Confidentiality Policies |
|                                                                                   | Revision:3.0                                                                                                          |
|                                                                                   | Date of issue:January, 9th 2017                                                                                       |
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|                                                                                   | Issuing Authority:Angela Oler                                                                                         |

## A. CONFLICT OF INTEREST

1. **Policy Statement:** Each PAT Board volunteer should avoid both actual, apparent, or perceived conflicts of interest that would interfere with his/her ability to discharge his/her fiduciary responsibilities to the AIHA Proficiency Analytical Testing Programs (AIHA PAT Programs). Each PAT Board volunteer is encouraged to follow ethical standards, to be in compliance with all laws, and to avoid any conflict of interest, or appearance of such, including having their titles or affiliation used to publicize personal or company activities, programs, or events (especially those conducted for private profit).
  
2. **Conflict of Interest Defined.** The term "conflict of interest" includes, but is not limited to, circumstances where a volunteer of the PAT Board, or a member of his or her immediate family:
  - (a) owns any financial or other proprietary interest in any entity supplying (or seeking to supply) goods or services to AIHA or AIHA PAT Programs;
  - (b) receives any substantial benefit from a third party on account of that party's past, present, or future business relationship with AIHA or AIHA PAT Programs;
  - (c) receives any substantial financial benefit from a pending decision of the AIHA PAT Programs or from an organization or individual being evaluated by AIHA or AIHA PAT Programs; or
  - (d) serves as an officer, director or committee member of any competing organization, i.e., any nonprofit or business enterprise whose purposes, products, and/or services compete with those of AIHA or AIHA PAT Programs.
  
3. **Disclosure of the Existence of a Conflict.** If a PAT Board volunteer knows, believes, or has reason to know or believe, that a conflict of interest exists with respect to any transaction involving the AIHA or AIHA PAT Programs, any decision of the Board, any decision of a committee or task force, or any action taken by an officer, such person shall immediately inform the AIHA PAT Programs Director of such conflict of interest or potential conflict of interest.

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## B. CONFIDENTIALITY


PAT Board volunteers may receive proficiency testing information and related documents with reference to laboratories, proficiency testing providers, other PAT Board members or other contractors for the express purpose of proficiency testing decision making that may be intellectual property, proprietary or confidential business data or information (the Information). The Information may be written, oral, or recorded or contained on tape or on other electronic mechanical or visual media and shall include any notes, or summaries made by the Recipient received or prepared in connection with its participation in the AIHA PAT Programs.

PAT Board volunteers shall abide by the following AIHA PAT Programs policy regarding disclosure of the above-described Information, for a period of ten (10) years thereafter:

- (1) to safeguard and keep confidential the Information;
- (2) to hold such Information in strict confidence and use practices no less stringent than those used to protect your employer's own confidential Information;
- (3) to use the Information only for the purposes of providing proficiency testing decisions or scientific input to the AIHA PAT Programs; and,
- (4) not to disclose such Information to any third party, except:
  - (a) to any governmental body having jurisdiction pursuant to a request therefore or as may be required by law;
  - (b) as otherwise may be required by law;
  - (c) to legal counsel representing either party; or
  - (d) to members of the AIHA PAT Programs consultants/contractors who have a need to know such Information in connection with work in support of the AIHA PAT Programs' activities and who have signed a copy of this Agreement binding them to keep the Information confidential and filed the signed Agreement with the AIHA PAT Programs.


AIHA PAT Programs further requires PAT Board volunteers to use such Information only in furtherance of the purposes of this Agreement and not for his/her own benefit or any third party.

If for any reason a volunteer's service on the PAT Board is discontinued, the terms herein shall nevertheless survive. However, these obligations shall not apply to Information which:

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- (1) at the time of disclosure to the PAT Board volunteer is already in the public domain by publication or otherwise;
- (2) subsequent to the disclosure to the PAT Board volunteer becomes generally known to the public through no fault of PAT Board volunteer;
- (3) is rightfully disclosed, on a non-confidential basis, to the PAT Board volunteer by a third party who had not obtained such Information directly or indirectly from the AIHA PAT Programs;
- (4) is demonstrated to have been in the possession of a PAT Board volunteer prior to its disclosure to him/her by AIHA PAT Programs, and was not obtained directly or indirectly from the AIHA PAT Programs; or,
- (5) is independently developed by the PAT Board volunteer without access to the Information.

| <u>Date</u>                   | <u>Rev.</u> | <u>Modification(s)</u>                                                                                                                                                                                                                                                                                                                                                        |
|-------------------------------|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5/12/2009                     | R0          | Original Issue                                                                                                                                                                                                                                                                                                                                                                |
| 8/28/2009                     | R1          | Text updates                                                                                                                                                                                                                                                                                                                                                                  |
| 2/2/2012                      | R2          | The PAT Programs logo was updated and all references to AIHA Affiliate Laboratory Programs were changed to AIHA PAT Programs. The "LLC" was dropped from AIHA Proficiency Analytical Testing Programs, LLC and AIHA PAT Programs, LLC so that the name now reads AIHA Proficiency Analytical Testing Programs or AIHA PAT Programs. Online document control versioning begins |
| See "Date of Issue" in header | R3          | Logo update; minor text edit in 1.; addition of modifications list                                                                                                                                                                                                                                                                                                            |

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## PAT BOARD VOLUNTEER DISCLOSURE STATEMENT AND AGREEMENT

I have reviewed the AIHA PAT Programs' Policies as well as the AIHA PAT Programs, Volunteer Conflict of Interest and Confidentiality Policies and agree to be bound by their provisions for the duration of my tenure on the PAT Board and for a period of ten (10) years thereafter.

Competing organization(s) to which I belong (please list):

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Organization(s) that I have a financial interest in that may be affected by my service on the PAT Board (please list):

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This Agreement shall inure to the benefit of the AIHA PAT Programs and shall be construed under the laws of the Commonwealth of Virginia.

**Accepted and Agreed to:**

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_