CDI Quality Institute's Appropriate Use Criteria Development/Provider Led Entity Committee: Conflicts of Interest Policy

ARTICLE I
PURPOSE

The purpose of this conflict of interest policy is to ensure that this non-profit organization (the "Institute") and its Appropriate Use Criteria Development/Provider Led Entity, Multi-Disciplinary Committee (the "PLE Committee") complies with the requirements set forth in 42 CFR Section 414.94(c)(iii) respecting the need for a publicly transparent process for identification of potential conflicts of interest and resolution of conflicts of interest related to the development or modification of appropriate use criteria (AUC) for applicable imaging services pursuant to the Institute's status as a Provider-Led Entity (as defined by Section 218(b) of the Protecting Access to Medicare Act (Public Law 113-93) and the aforementioned 42 CFR Section 414.94). This policy serves to identify relationships between entities or individuals that substantially participate in the Institute's efforts to develop AUC and companies or organizations that might benefit from such AUC. It also serves to identify relationships that present a potential conflict of interest and to provide for the resolution of conflicts of interest.

ARTICLE II
DEFINITIONS

2.1 Interested Person. Any director, principal officer, or member of the PLE Committee is an interested person. Any other person or entity that participates in the PLE Committee's efforts to develop or modify AUC, whether through formal arrangement or through informal arrangement, is an interested person.

2.2 Covered Relationship. An interested person has a covered relationship if such person has, directly or indirectly, through business, investment, or family:

(a) An ownership or investment interest in any entity with which the Institute or PLE Committee has a transaction or arrangement,

(b) A financial interest with the Institute, the PLE Committee or with any entity or individual with which the PLE Committee has a transaction or arrangement,

(c) A potential ownership or investment interest in, or direct or indirect financial relationship with, any entity or individual with which the PLE Committee is negotiating a transaction or arrangement, or

(d) An ownership or investment interest or direct or indirect compensation arrangement with any other person or entity that may benefit from the Institute's development or modification of AUC.

2.3 Financial Relationship. The term "financial relationship" includes monetary remuneration, whether direct or indirect, as well as gifts or favors, with an reasonably estimated value greater than $50.

2.4. Persons or entities that may benefit from the Institute's development or modification of AUC. The term "Persons or entities that may benefit from the Institute's development or modification of AUC" includes the Institute; the Center for Diagnostic Imaging; Inc. and its affiliates; AIM Specialty Health, Inc.; other contracted providers of services to the PLE Committee; entities involved in the manufacture or marketing of diagnostic imaging equipment, supplies and services; medical groups whose physicians are Members of the Institute; and any other person or entity meeting this definition.

ARTICLE III
POLICY AND PROCEDURES

3.1 Administration of Policy. It is the responsibility of the Institute and its PLE Committee to ensure that, prior to a person undertaking any substantial participation in the Institute's efforts to develop AUC, (i) such person is informed of the existence and requirements of this conflict of interest policy and provided with the Disclosure Form (attached hereto); and (ii) that such Disclosure Form is completed and reviewed to determine whether any covered relationship exists. In the event that a covered relationship exists, the Institute shall ensure that the disclosure and resolution elements of this policy are followed.

3.2 Policy. Where the Disclosure Form indicates a covered relationship, the following policies will be applied:

3.2.1 The Disclosure Form will be published on the Institute's Website;

3.2.2 Where the annual value of the covered relationship is less than $100,000, the individual will be allowed to substantially participate in the development or modification of AUC;

3.2.3 Where the annual value of the covered relationship exceeds $100,000, the individual, subject to 3.2.4, will not be allowed to substantially participate in the development or modification of AUC;

3.2.4 Section 3.2.3 shall not apply in the case of an employee of AIM Specialty Health or any other entity that is contracted to provide

services to the PLE Committee where the value of the covered relationship with such employer exceeds $100,000; or in the case of a Member of the Institute who is affiliated with a medical imaging center that is managed or operated by the Center for Diagnostic Imaging, Inc. or its affiliates where the value of the covered relationship exceeds $100,000.

ARTICLE IV
RECORDS OF PROCEEDINGS

For purposes of this conflict of interest policy, the minutes of the PLE Committee shall contain:

4.1 The names of the persons who were present for discussions and votes relating to the creation or modification of AUC;

4.2 A record of any votes taken; and

4.3. The identification of persons who disclosed or otherwise were found to have a covered relationship and the nature of the relationship.

ARTICLE V
COMPENSATION

5.1 A voting member of the PLE Committee who receives compensation, directly or indirectly, from the Institute for services is precluded from voting on matters pertaining to that member's compensation.

5.2 A voting member of the PLE Committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Institute for services is precluded from voting on matters pertaining to that member's compensation.

5.3 No voting member of the PLE Committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Institute, either individually or collectively, is prohibited from providing information to any committee regarding compensation.

ARTICLE VI
STATEMENTS

6.1 Annual Statements. Each director, principal officer and member of the PLE Committee shall annually sign a statement which affirms such person:

(a) Has received a copy of the conflicts of interest policy,
(b) Has read and understands the policy,
(c) Has agreed to comply with the policy, and
(d) Understands the Institute is a non-profit organization and the PLE Committee must adhere to certain requirements set by the Centers for Medicare and Medicaid (CMS) and therefore, both entities must engage primarily in activities which accomplish the requirements set by the charter of the Institute and the requirements of CMS.

6.2 Other Statements. Any other person or entity that participates in the PLE Committee's efforts to develop or modify AUC, whether through formal arrangement or through informal arrangement shall, in connection and prior to that participation, sign a statement containing the affirmations set forth in 6.1.

ARTICLE VII
PERIODIC REVIEWS

To ensure the PLE Committee operates in a manner consistent with purposes set by CMS and does not engage in activities that could jeopardize the Institute's non-profit status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

(a) Whether compensation arrangements and benefits are reasonable, based on competent survey information, and the result of arm's length bargaining.

(b) Whether partnerships, joint ventures, and arrangements with management and contractual organizations conform to CMS's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further Institute purposes and do not result in inurement, impermissible private benefit or in an excess benefit transaction.

ARTICLE VIII
USE OF OUTSIDE EXPERTS

When conducting the periodic reviews as provided for in Article VII, the PLE Committee may, but need not, use outside advisors. If outside experts are used, their use shall not relieve the PLE Committee of its responsibility for ensuring periodic reviews are conducted.