



I. 10.1.8 Conflict of Interest, Conflict of Commitment, and Outside Activities

Chapter 10 - Ethics, Standards of Conduct, and Relationships with External Entities	Original Effective Date: October 2008
Section: 10.1 Ethics, Standards of Conduct and Relationships with External Entities	Date Last Reviewed: June 2025
Responsible Entity: Senior Executive Vice President and Chief Operating Officer	Date Last Revised: June 2025

II. Purpose

This policy is intended to provide best practices, ensure compliance with state ethics laws, The University of Texas System Policies and Board of Regents' Rules, and to protect the credibility and reputation of The University of Texas Health Science Center at San Antonio (also known as "UT Health San Antonio") by providing a framework to address Conflicts of Interest, Conflicts of Commitment, and Outside Activities. To the extent of a conflict, The University of Texas System Board of Regents' Rules shall control.

III. Scope

This policy applies to all Employees. However, requirements for disclosure of Outside Activities and Financial Interests apply only to Covered Individuals and/or circumstances as outlined in this policy. Employees should refer to the definitions below and follow the requirements applicable to their status throughout the policy.

Employees who participate in research activities may be subject to additional disclosure requirements under *Institutional Handbook of Operating Policies* ("IHOP") policy [10.1.6 Conflict of Interest in Research and Disclosure](#).

IV. Policy

- A. The primary responsibility of UT Health San Antonio Employees is the fulfillment of the duties and responsibilities assigned to one's position of appointment (UTS 180; Regents' Rule 30104, Sec.1).
 1. UT Health San Antonio permits Employees to engage in Outside Activities or other work, subject state laws, UT System Administration and UT Health San Antonio rules and policies. UT Health San Antonio also encourages certain specified Outside Activities that clearly contribute to its mission and or provide important elements of faculty or staff development related to their institutional responsibilities.

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2. Unmanaged Conflicts of Commitment ("COC") and/or Conflicts of Interest ("COI"), as defined herein, of any Employee are prohibited and may result in discipline, up to and including termination.
3. Pursuant to state executive order EO-GA-48, employees and faculty are prohibited from taking part in any foreign recruitment program by a foreign-adversary nation, including but not limited to the People's Republic of China (PRC's) Thousand Talents Program.

B. Conflict of Interest Procedures

1. A Conflict of Interest

- a. A Conflict of Interest exists when an Employee's Outside Activity or Financial Interest or an Employee's Immediate Family Member's Outside Activity or Financial Interest conflicts with the proper discharge of the Employee's institutional responsibilities.
- b. The proper discharge of an Employee's institutional responsibilities could be directly or significantly affected if the Outside Activity or Financial Interest:
 - i. might tend to influence the way the Employee performs their institutional responsibilities;
 - ii. could reasonably be expected to impair the Employee's judgment in performing their institutional responsibilities; or
 - iii. might require or induce the Employee to disclose confidential or proprietary information acquired through the performance of institutional responsibilities.
- c. Governor of the State of Texas Executive Order – GA – 48
UT Health San Antonio Workforce Members shall not accept any gift, regardless of value, from an entity associated with or travel to, for professional purposes, a country on the U.S. Department of Commerce's foreign adversaries list under 15 C.F.R. §791.4. Employees approached by groups representing a foreign adversary country, that offer gifts or travel, shall report the offer through the institution's Enterprise Research Management System- Conflict of Interest module. Alleged violations of this policy should also be reported to the Institutional Compliance and Privacy Office.

2. A Conflict of Commitment

A Conflict of Commitment exists when an Employee's time or effort devoted to an Outside Activity directly or significantly interferes with the Employees fulfillment of their institutional responsibilities. A conflict of commitment arises when an employee engages in outside employment or other external activities that involve the unauthorized use of State property or resources.

3. Reporting Frequency

- a. Initial Reporting

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Covered Individuals are required to submit a Disclosure Statement through the electronic disclosure system regarding an existing Financial Interest or Outside Activity:

- i. Within thirty (30) days of the start of employment;
- ii. Within thirty (30) days of transferring into a new position at UT Health San Antonio;
- iii. Annually, if the Covered Individual has an Outside Activity or Financial Interest to disclose as outlined in this Policy; and
- iv. Within thirty (30) days of the discontinuation of an Outside Activity or Financial Interest.

b. New Interests or Activities that Requires Pre-Approval

Covered Individuals are required to submit a Request for Pre-Approval via the electronic disclosure system as least thirty (30) days before engaging in any of the following new, anticipated or proposed Financial Interests or Outside Activities:

- i. Activities that rely on their professional expertise that is the basis for their employment at UT Health San Antonio;
- ii. Providing expert testimony in a legal proceeding;
- iii. Providing consulting professional or clinical practice;
- iv. Serving on an Outside Board of Directors; or
- v. Any Outside Activity, employment, or relationship with a foreign entity.
- vi. Sponsored travel reimbursement associated with Outside Activities does not require Pre-Approval. The Financial Interest must be disclosed no later than thirty (30) days after the travel has been completed.

c. Retrospective Reporting

A Covered Individual may be granted retroactive approval for an Outside Activity or a Financial Interest if the Covered Individual was called upon to assist in an emergency or urgent situation where it would be impossible or unreasonable to obtain advance approval. In such cases, the Outside Activity or Financial Interest must be reported via the electronic disclosure system as soon as possible.

d. Confidential Reporting

If a Covered Individual wishes to engage in an Outside Activity or must disclose a Financial Interest that involves confidential information (i.e. classified government work or other information made confidential by law), they must report the Outside Activity or Financial Interest to their supervisor, who may approve it without requiring provision of confidential information if they determine there is a compelling reason to treat certain information confidential.

4. Managing Conflict of Interest and Conflict of Commitment

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It is the responsibility of the Institutional Compliance and Privacy Office ("ICPO"), to provide for the impartial and fair review of all disclosed information to determine whether a Conflict of Interest, Conflict of Commitment, or undue outside influence exists subject to this Policy; and when necessary, to issue a Management Plan approved by the Institution's Conflict of Interest Committee that is designed to assist the employee to avoid an unmanaged Conflict of Interest or Conflict of Commitment.

5. Management Plan Development and Monitoring

A Management Plan may be necessary to manage a Conflict of Interest or Conflict of Commitment. Employee performance to fully perform an assigned Management Plan will be monitored by the ICPO. UT Health San Antonio will take appropriate disciplinary action to enforce adherence to assigned Management Plans.

6. Appellate Process

A Covered Individual who disagrees with the proposed Management Plan may submit a written appeal to the ICPO via email (compliance@uthscsa.edu) within fourteen (14) calendar days of receiving the Management Plan. The appeal must explain the deficiency and request a specific remedy. ICPO shall respond within thirty (30) calendar days of their receipt of any appeal, and such decision is final.

7. Rescinding Pre-Approval for Outside Activity

Approval of a Covered Individual's Outside Activity may be rescinded upon receipt of information indicating that the Outside Activity is not consistent with or is in violation of any applicable law or UT Health San Antonio policy. The Covered Individual for whom the activity may be rescinded shall be given written notice of the decision to rescind, and an opportunity to respond within fourteen (14) calendar days of the receipt of the notice to rescind.

8. Use of UTHSA Property and Other Resources

- a. UTHSA property and other resources may only be used as appropriate to UTHSA's mission and in accordance with institutional policies. Use of institutional property or resources by any UTHSA faculty or employee in connection with an external activity requires prior approval from the individual's immediate supervisor. Please contact the Institutional Compliance and Privacy Office if there are questions related to the appointed authority.
- b. All individuals granted access to or use of UTHSA Information Resources must abide by the requirements in UTHSA IHOP 5.8.10, Information Resources Acceptable Use and Security Policy

C. Miscellaneous

The President is required by state law to file a Personal Financial Statement with the Texas Ethics Commission. In lieu of filing the information listed in this policy, the President shall file a duplicate copy of their Personal Financial Statement with the Office of the Chancellor of UT System Administration at the time that it is filed with the Ethics Commission. If the President seeks an extension of the time to file a Personal Financial Statement with the Texas Ethics Commission, the President must also notify the Chancellor's Office of the extension.

V. Definitions

When used in this document, the following words have the meaning set forth below unless a different meaning is required by context.

Covered Individuals – employees that are: Executive Officers of UT Health San Antonio, its schools or affiliate organizations; faculty (full-time and part-time); heads or assistant heads of a budget entity or participate in the management of a department (e.g., deans, chairs, vice presidents, and other persons assigned to act in an official capacity on behalf of UT Health San Antonio); procurement personnel defined by IHOP 10.1.9; research personnel defined by IHOP 10.1.6.

Disclosure Statement – a confidential electronic questionnaire through which employees submit information regarding Financial Interests, Outside Activities, and other relationships that may represent a Conflict of Interest or Conflict of Commitment.

Employee – this policy applies to all employees of UT Health San Antonio, as determined by the Internal Revenue Service, whether part-time, full-time, Faculty, Administrative and Professional, or Classified, but does not include independent contractors. Employees are public servants of the State of Texas.

Financial Interest – any remuneration, whether in cash or in kind, whose fair market value is not de minimus. A Financial Interest includes, but is not limited to:

1. Any Financial Interest in an entity whose business is in the academic, research, or health care fields;
2. Income from intellectual property rights held and any agreements to share in royalties related to those rights, if income is received from any entity other than UT Health San Antonio;
3. All gifts that exceed \$250 in value to the Employee or their Immediate Family Member that could reasonably appear to affect decisions or actions related to the Employee's Institutional Responsibilities or the Employee's professional training or expertise; and
4. Any externally funded or reimbursed travel costs (domestic and foreign); including but not limited to, transportation (air and ground), hotel accommodations, travel insurance, meals, incidentals, or out-of-pocket expenses.

Immediate Family Member – includes (a) a spouse, (b) a dependent child or stepchild or other dependent, for purposes of determining federal income tax liability during the period covered by the disclosure statement.

Management Plan – a written agreement that may impose conditions and prescribe actions necessary, including reduction or elimination, to manage conflicts of interest, conflicts of commitment, or outside activities.

Outside Activity – any personal activity performed by an Employee, other than their institutional responsibilities, for which remuneration is received. This includes, but is not

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limited to, distance teaching; any work for a third party, such as supervising, consulting, board or advisory services; or other employment for which remuneration, regular or occasional, is received. Outside Activity also includes professional activities with foreign entities, regardless of remuneration.

Employees are permitted to participate in certain Outside Activities when the activity creates opportunity for professional development or otherwise has clear alignment with UT Health San Antonio's mission and does not violate this policy. If remuneration is not received, then the following Outside Activities listed below are permitted and do not require Pre-Approval or disclosure. If remuneration is received for participating in one of the following Outside Activities, then an annual disclosure is required.

1. Serving on a federal, state, or local government agency committee, panel, or commission. For certain governmental positions, Regental approval is required under Regents Rule 30103, Section 4;
2. Acting in an editorial capacity for a professional journal, reviewing journal manuscripts, book manuscripts, or grant or contract proposals;
3. Attending and presenting talks as scholarly colloquia and conferences; and
4. Serving as a committee member or as an officer of a professional or scholarly society or developing scholarly communications in the form of books or journal articles, movies, television productions, and similar works, even when such activities result in financial gain, provided the activity is consistent with intellectual property and other applicable UT Health San Antonio policies.
5. Mission promoting activities that have been approved by the Employee's supervisor and that do not require pre-approval are subject to a limit of an aggregate of forty-eight (48) working days (384 hours) per fiscal year. Approval by the President or the President's designee is required if the Permitted Outside Activity exceeds the limits outlined above.

VI. Related References

There are no related documents associated with this Policy.

VII. Review and Approval History

The approving authority of this policy is the University Executive Committee.

Effective Date	Action Taken	Approved By	Date Approved
10/2008	Policy Origination		
09/2019	Policy Revision		
03/2024	Policy Revised and Renamed	Executive Committee	03/25/2024
04/2024	Policy Revised / Discretionary Edit		
06/2025	Policy Revision	Executive Committee	06/23/2025