

—The following article is *Article X: Conflict of Interest*, taken from the Philadelphia EMA HIPC Bylaws approved December 2018—

## **Article X: Conflict of Interest**

**Section 1.** The Planning Council shall have no role in determining the specific agencies or organizations with whom the recipient, its fiscal agents, or other designees may contract for the delivery of health services utilizing Ryan White HIV/AIDS Program Part A or CDC prevention funds.

**Section 2.** The rules contained in this section apply to all members, members of committees, working groups, task forces and technical advisory groups, staff members, contractors and consultants to the Planning Council, and all of whom shall be referred to as Planning Council for the purposes of this section.

a. No Planning Council member shall use his or her relationship with the Planning Council for private gain.

b. Whenever any matter arises with respect to which a Planning Council member either has a conflict of interest or has any question about the existence of a conflict, he or she shall make a full disclosure of such conflict or possible conflict before the matter is discussed.

c. Persons who have conflicts of interest as defined herein may participate in the discussion in question but shall not vote on that matter.

d. For the purposes of this paragraph, conflict of interest shall be defined as a direct financial or fiduciary interest, which shall include, without limitation, ownership, employment, contractual, creditor, or consultative relationship to, or Board membership in, an entity or individual, or in a substantial affiliate of such an entity including any such interest that existed at any time during 12 months preceding the vote, with respect to which a vote is to be taken. This shall not preclude such member from voting on matters affecting a large group of entities or individuals including the one in which he or she has an interest. Such a member shall not, however, vote on a matter affecting only the particular entity or individual he or she has an interest or a small group of entities or individuals including such particular entity or individual.

**Section 3.** A member's receipt of Ryan White HIV/AIDS Program Part A or CDC prevention funded services is not to be construed, in and of itself, as a conflict of interest.