As an institution of The University of Texas System, MD Anderson is considered a state agency. As such, our employees are subject to certain state ethics laws that regulate the behavior and actions of state employees.

**Conflict of Interest**

Strict adherence to conflict of interest prohibitions allows MD Anderson to honor its Core Value of Integrity. A conflict of interest exists when the loyalty of an MD Anderson workforce member is divided between responsibilities to MD Anderson and responsibilities to another. State laws, as well as institutional policies, govern conflict of interest issues. MD Anderson workforce members should review the appropriate policy in cases of possible conflicts of interest.

General standards for outside compensation require that:

- The outside compensation not be related to work that is within your official duties for MD Anderson or under your supervision.
- The outside work you perform complies with MD Anderson’s rules and policies for outside compensation.
- You not disclose any MD Anderson confidential or proprietary information in your outside engagement.
- The outside activity not impair your independence of judgment in the performance of MD Anderson duties.

For more information regarding conflict of interest issues, see MD Anderson’s:

- Conflict of Interest Policy (Policy # ADM0255).
- Conflict of Interest Policy for Faculty Members, Trainees, Faculty Supervisors, Institutional Decision Makers, and Investigators of The University of Texas MD Anderson Cancer Center (Policy # ACA0001).
**Bribery**

As state employees, MD Anderson employees may not intentionally or knowingly: (a) offer, confer, or agree to confer on another; or (b) solicit, accept, or agree to accept from another:

- Any benefit as consideration for the recipient’s decision, recommendation, vote, or other exercise of discretion as a public servant.
- Any benefit as consideration for a violation of a duty imposed by law on a public servant.
- Any benefit that is a political contribution as defined by Title 15, Election Code, or that is an expenditure made and reported in accordance with Chapter 305, Government Code if the benefit was offered, conferred, solicited, accepted, or agreed to pursuant to an express agreement to take or withhold a specific exercise of official discretion if such exercise of official discretion would not have been taken or withheld but for the benefit.

For more information regarding bribery issues, see MD Anderson’s:

- Ethics Policy (Policy # ADM0337).
- Conflict of Interest Policy (Policy # ADM0255).

**Gifts to State Employees**

A gift of any value should never be accepted if the employee has any reason to believe it was given to influence the employee in the discharge of his or her official duties (e.g., discretionary decisions concerning expenditure or use of state assets). Unsolicited non-monetary gifts from patients, their friends, and/or family members are not prohibited so long as they are not given to influence care or secure preferential treatment. Cash gifts to faculty members from patients, their friends, and/or family members are governed by the PRS Bylaws.

According to state law, non-cash gifts valued at less than $50 may be accepted unless the employee has any reason to believe that the gift is being offered to influence the employee or the decision the employee makes. Cash or cash equivalents (e.g., gift certificates, gift cards) should not be accepted from any vendor or third party who is doing (or interested in doing) business with MD Anderson.

For more information regarding gifts, see the Gifts section above and MD Anderson’s Ethics Policy (Policy # ADM0337).

**Abuse of Position**

An MD Anderson employee commits an offense if, with the intent to obtain a benefit or with the intent to harm or defraud another, the employee intentionally or knowingly: (a) violates a law relating to the employee’s position; or (b) misuses state resources (e.g., MD Anderson property, services, personnel, or any other thing of value belonging to MD Anderson).

For more information, see MD Anderson’s:

- Ethics Policy (Policy # ADM0337).
- Use of State-Owned Property, Equipment, and Services Policy (Policy # ADM0340).
Endowments

MD Anderson workforce members are expected to abide by the institution’s established Endowment Compliance Plan. At MD Anderson, the Associate Vice President and Controller is responsible for directing the Endowment Compliance education programs, which focus on adherence to The University of Texas System Policies and Standards - UTS138: Gift Acceptance Procedures (UTS138) associated with the establishment of endowments. The education programs also ensure that the terms of the Official Endowment Agreement are strictly followed.

The authority to accept donations to The University of Texas System is vested in the Board of Regents. Individual MD Anderson workforce members are not authorized to accept donations on behalf of the institution. When a workforce member has been approached about a proposed donation, the workforce member should notify the Office of the Chief Business Officer or the Development Office.

The Chief Business Officer will arrange for proper reporting to the Board of Regents, and the donor will be sent an acceptance letter from the appropriate institutional official. All terms and restrictions placed on any gift or donation by a donor must be agreed to and accepted by the Board of Regents before the gift can be accepted.

For more information, see MD Anderson’s Endowment Compliance Plan.

Honoraria

An MD Anderson employee may not solicit, accept, or agree to accept an honorarium in consideration for services that the employee would not have been requested to provide but for the employee’s official position or duties. However, under certain circumstances, an MD Anderson employee may accept an honorarium given as compensation for providing a service for which the employee has specific expertise. If, however, funding is from a pharmaceutical company or health care vendor, additional laws and rules related to anti-kickback may apply. Honoraria/Fees for faculty members are governed by PRS Bylaws, the Faculty Extramural Leave Policy (Policy # ACA0051) and the Conflict of Interest Policy for Faculty Members, Trainees, Faculty Supervisors, Institutional Decision Makers, and Investigators of The University of Texas MD Anderson Cancer Center (Policy # ACA0001).

For more information regarding honorarium issues, see the Gifts for Patient Referrals to Other Entities section above, MD Anderson’s Faculty Guidance, and MD Anderson’s Ethics Policy (Policy # ADM0337).
**Question:** One of our department's existing vendors sent gift cards for every employee in our office. Are we allowed to accept the gift card?

**Answer:** No. In general, non-cash gifts valued at less than $50 may be accepted unless the employee has any reason to believe that the gift is being offered to influence the employee or the decisions the employee makes. Cash or cash equivalents (e.g., gift certificates, gift cards) should not be accepted from any vendor or third party who is doing (or interested in doing) business with MD Anderson.

**Question:** Sanya, a research nurse at MD Anderson, is responsible for coordinating, evaluating, and following patient participation in a clinical trial of Drug X, funded by Drugs Unlimited. Because Sanya has many years of nursing experience with cancer patients, Drugs Unlimited wants to hire Sanya: (a) as a consultant for planning future clinical trials involving patients receiving chemotherapy; and (b) to audit ongoing Drug X clinical trials at two other sites. All the consulting work will be done outside of Sanya’s normal work hours at MD Anderson, and Sanya thinks she has accrued just enough paid time off to perform the audits. What should Sanya do?

**Answer:** Sanya should follow the steps outlined in MD Anderson’s Conflict of Interest Policy (Policy # ADM0255) before she agrees to perform, or performs, any consulting or audit work for Drugs Unlimited.

**Principle 8**

Refrain from soliciting or accepting anything that might influence, is being offered with the intent to influence, or might reasonably appear to influence your official duties. Refrain from engaging in activities or entering into contracts that could or could reasonably appear to: (a) interfere with your responsibilities to MD Anderson; (b) require or induce you to disclose confidential information obtained from or through MD Anderson; or (c) impair your independent judgment.