

PRACTICE STANDARD FOR BCCNM NURSES

Conflict of Interest

Practice Standards set out requirements related to specific aspects of nurses' practice. They link with other standards, policies and bylaws of the BC College of Nurses and Midwives and all legislation relevant to nursing practice.

A conflict of interest occurs when a nurse's¹ personal, business, commercial, political, academic or financial interests, or the interests of the nurse's family or friends, interfere with the nurse's professional responsibilities or a client's best interests. A conflict of interest may exist whether or not a nurse is actually influenced by the competing interest. The conflict of interest may affect nurses in any practice setting.

A conflict of interest can be actual, potential or perceived and may or may not lead to negative outcomes. An *actual* conflict of interest is one that has already occurred or currently exists. A *potential* conflict of interest is one that could possibly develop in the future. A *perceived* conflict of interest occurs when others perceive that a conflict of interest may influence a nurse's judgment.

In some cases there may be laws specifically preventing a conflict of interest from taking place. For example, in Part 3 of the *Health Care (Consent) and Care Facility (Admission) Act*, a nurse who is a "manager" of a facility (as defined in the Act) is not permitted to act as a substitute decision maker for a friend/family member, even if they would normally qualify, if the client is seeking admission to the manager's care facility. Ensure you understand the legislation relevant to your role.

Principles

1. Nurses identify and seek to avoid actual, potential or perceived conflicts of interest.
2. Nurses avoid any behaviours including promoting private or business interests that place their personal gain ahead of their professional responsibilities.

¹ "Nurse" refers to all BCCNM nursing registrants, including: licensed practical nurses, nurse practitioners, registered nurses, registered psychiatric nurses, licensed graduate nurses, employed student nurses, and employed student psychiatric nurses.

3. Nurses handle all types of conflict of interest by identifying the problem, discussing it with the appropriate people and managing it ethically.
4. Nurses fully and accurately disclose, to the appropriate persons, any relationships, affiliations, financial interests or personal interests that may create a conflict of interest.
5. Nurses follow BCCNM's Bylaws when they advertise or promote professional services or products.
6. Nurses recognise the potential for gifts of any value to affect objectivity and use professional judgment when considering their acceptance.
7. Nurses only accept funds from commercial sources² in the form of an unrestricted grant³ paid to the organization sponsoring the professional activity.

Applying the principles to practice

- Be aware of the ways that a conflict of interest can arise in your practice. Raise awareness about conflicts of interest with your colleagues, vendors and others where appropriate.
- If you are not sure whether a situation involves a conflict of interest, or you need help with an unavoidable conflict of interest, discuss it with your supervisor, a colleague who understands ethical practice or refer to your organization's practice resources on ethics.
- Familiarize yourself with your organization's conflict of interest policies and resources. If none exist, advocate for and/or support the development of policies and resources that address conflict of interest.
- To manage a conflict of interest you may need to remove yourself from participating in discussions, making decisions, or providing care.
- If a gift, donation or sponsorship of any value is offered, consider the possible motives of the giver and the potential for a conflict of interest. Recognize the potential for a gift, donation or sponsorship to create an obligation. Understand that accepting even a small offering may influence your judgment, cause you to lose objectivity or appear to others as a conflict of interest.
- Review the Practice Standard Boundaries in the Nurse-Client Relationship to understand how conflict of interest can occur within therapeutic relationships.
- If you purchase or recommend products and services or prescribe drugs, make choices that are in the best interest of the client.
- If you, your family or friends have a private or business interest, do not promote or refer clients or their family members to it. For example, do not promote your child's fundraising activities to your clients or refer clients to your family member's business.
- If you are planning an event sponsored by commercial sources ensure that you, not the commercial sponsors, are deciding on the content and activities. Inform the participants of any potential commercial or competing interests held by the planners, faculty or other contributors.
- If you are involved in the research and publishing process, disclose any conflicts of interest.

² A commercial source is a business or organization whose primary purpose is the for-profit sale of goods or services.

³ An unrestricted grant refers to funding given without constraints or conditions.

For more information

For more information on this or any other practice issue, contact BCCNM's Practice Support Services by e-mail at practice@bccnm.ca or call 604.742.6200 or toll-free (Canada only) 1.866.880.7101.

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