

<b>Office of Compensation Analysis and Support</b>	Document Number: OCAS-PR-009 Effective Date: 3/06/2007 Revision No. 0
	<b>Implementation of OCAS Conflict of Interest Policy</b>
	Page 1 of 9
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1.0	PURPOSE .....	3
2.0	SCOPE .....	3
3.0	REFERENCES .....	3
4.0	GENERAL .....	3
5.0	PROCEDURE.....	3
6.0	RECORDS .....	4
7.0	APPLICABLE DOCUMENTS .....	4
7.1.	Drivers.....	4
7.2.	Forms .....	4
8.0	DEFINITIONS.....	5

Effective Date: 3/06/2007	Revision No. 0	Procedure No. OCAS-PR-009	Page 2 of 9
---------------------------	----------------	------------------------------	-------------

**RECORD OF ISSUE/REVISIONS**

<b>ISSUE AUTHORIZATION DATE</b>	<b>EFFECTIVE DATE</b>	<b>REV. NO.</b>	<b>DESCRIPTION</b>
3/06/2007	3/06/2007	0	New document to establish the requirements for the implementation of the OCAS Conflict of Interest Policy. Initiated by Grady Calhoun.

## **1.0 PURPOSE**

The purpose of this procedure is to provide the process for implementing the OCAS Conflict of Interest (COI) Policy.

## **2.0 SCOPE**

This procedure applies to all OCAS personnel.

## **3.0 REFERENCES**

- 3.1. OCAS-Policy-001, Conflict of Interest
- 3.2. OCAS-FORM-001, Conflict or Bias Disclosure Form
- 3.3. OCAS-FORM-002, Covered Facility List

## **4.0 GENERAL**

- 4.1. All OCAS employees must complete an OCAS-FORM-001, Conflict or Bias Disclosure Form, for each Department of Energy (DOE) or Atomic Weapons Employer (AWE) facility for which they may perform a Key Program Function. It is acceptable for multiple facilities to be listed on one form.
- 4.2. Individuals determined to have a conflict of interest may not perform Key Program Functions as described in section 8.1 for the DOE or AWE facility at which they are conflicted.

## **5.0 PROCEDURE**

### **OCAS Personnel**

- 5.1. Eliminate facilities where no conflicts exist.
  - 5.1.1. Review OCAS-FORM-002, Covered Facility List.
  - 5.1.2. Review OCAS-FORM-001, Conflict or Bias Disclosure Form.
  - 5.1.3. Mark each facility on OCAS-FORM-002 for which questions 1, 2, 3, 6, 8, 9 and 11 can all be answered "No".

Note: Personnel who have been employed by the Department of Energy will have to answer "Yes" to question 6 but must be able to answer "No" to questions 1, 2, 3, 7, 8, 9 and 11 to eliminate sites from conflict in this manner.

Effective Date: 3/06/2007	Revision No. 0	Procedure No. OCAS-PR-009	Page 4 of 9
---------------------------	----------------	------------------------------	-------------

- 5.1.4. Complete one OCAS-FORM-001, Conflict or Bias Disclosure Form, to cover all of the facilities identified in step 5.1.3 and enter “See Attached” for “Sites/Facilities addressed on this form”.

### **OCAS Personnel**

- 5.2 An OCAS-FORM-001, Conflict or Bias Disclosure Form, must be completed for each facility for which any of the questions 1, 2, 3, 8, and 9 (and 6 and 7 as applicable) cannot be answered “No” prior to performing any Key Program Functions for that site.

- 5.2.1 Complete an OCAS-FORM-001, Conflict or Bias Disclosure Form, for each of these facilities. It is acceptable for multiple facilities to be listed on one form.

- 5.3 An OCAS-FORM-001 may be completed for any facility for which additional explanation is desired. For example an individual may want to fill out form for a facility where they “worked” in the conventional use of the word at the site, but did not “work” as it is defined by the COB policy.

## **6.0 RECORDS**

The following records are generated as applicable.

- 6.1. Conflict or Bias Disclosure Form

## **7.0 APPLICABLE DOCUMENTS**

### **7.1. Drivers**

- 7.1.1. NIOSH Conflict of Interest Policy

### **7.2. Forms**

- 7.2.1. OCAS-FORM-001, Conflict or Bias Disclosure Form

- 7.2.2. OCAS-FORM-002, Facility List

Effective Date: 3/06/2007	Revision No. 0	Procedure No. OCAS-PR-009	Page 5 of 9
---------------------------	----------------	------------------------------	-------------

## **8.0 DEFINITIONS**

### **8.1 Key Program Functions**

- 8.1.1 **Document Approval Authority**-The **Document Approval Authority** is responsible for exercising approval authority by signature to permit use by the Program of a Dose Reconstruction Report, Site Profile Document, SEC Petition Evaluation document, Site-Specific and Multiple-Site Technical Information Bulletin (TIB) and any other key Program function document created for use by the Program. Any exercise of such approval authority is treated as a key Program function under this policy, and the individual exercising that authority shall ensure that the exclusions and attributions required by this Policy Statement have been met before signing the document and approving it for use in the Program.
- 8.1.2 **Dose Reconstructionist**-A **Dose Reconstructionist** is responsible for conducting internal and external dose reconstructions for the Program which include, but are not limited to: analyzing monitoring methods; performing uncertainty analyses; estimating organ or effective dose from available monitoring data; and incorporating any comments from Dose Reconstruction Report Reviewers. A Dose Reconstructionist is responsible for any and all revisions to a Dose Reconstruction Report.
- 8.1.3 **Dose Reconstruction Report Peer Reviewer** Dose Reconstruction Report Peer Reviewer is responsible for conducting a review of the Dose Reconstruction Report to ensure that all appropriate sources of information for possible doses are included and that all calculations are accurate.
- 8.1.4 **NIOSH COI Officer**-The NIOSH COI Officer, who reports directly to the NIOSH Director, is responsible for ensuring that any key Program document disseminated by NIOSH conforms substantively and procedurally to all the provisions contained in this COI Policy Statement. In addition, the COI Officer manages the process to ensure that all Key Program documents conform to the NIOSH COI Policy. For example, the COI Officer will review all disclosures; investigate and resolve complaints about failure to disclose; review all key Program documents for proper attribution; conduct a "hard look" at the role of the document owner and site and subject experts in key Program documents; ensure that any key Program document is prepared in such a manner as to facilitate both peer review by the Board and the Board's audit contractor and general review by the affected claimants; and perform other duties as required.

Effective Date: 3/06/2007	Revision No. 0	Procedure No. OCAS-PR-009	Page 6 of 9
---------------------------	----------------	------------------------------	-------------

8.1.5 **Site Profile Document Owner - A Site Profile Document<sup>a</sup> Owner** is responsible for coordinating and drafting all Site Profile Documents, ensuring that all relevant information is captured in the document, evaluating information, and establishing or setting forth specific findings or conclusions. The Site Profile Document Owner is the primary writer/editor of the Site Profile Document. The Site Profile Document Owner has an affirmative duty to seek out all relevant data and to objectively evaluate all relevant input with no special consideration given due to the source (*e.g.*, site expert or subject expert).

All narrative or quantitative input to Site Profile Documents shall be clearly attributed<sup>b</sup> to each source(s) wherever it appears or is relied upon within a Site Profile document. In addition, both Site and Subject Experts shall be clearly identified on the approval page of every Site Profile Document to which they contributed.

A Site Profile Document Owner is responsible for any and all revisions to a Site Profile Document.

8.1.6 **Site-Specific Technical Information Bulletin Owner - A Site-Specific Technical Information Bulletin Owner** is responsible for coordinating and drafting a TIB which addresses a technical issue or concern regarding dose reconstructions for a specific exposure that may occur at one or more specific DOE or AWE facilities<sup>c</sup>, ensuring that all relevant information is captured in the document, evaluating information, and establishing or setting forth a specific approach to resolve the technical issue or concern. The Site-Specific TIB Owner is the primary writer/editor of the subject Technical Information Bulletin. The Site-Specific TIB Owner has an affirmative duty to seek out all relevant information, and to objectively evaluate all relevant input with no special consideration given due to the source (*e.g.*, site expert or subject expert).

All narrative or quantitative input to a Site-Specific TIB shall be clearly attributed to each source(s) wherever it appears or is relied upon within a TIB. The specific DOE or AWE site to which the TIB applies shall be listed in the TIB. In addition, both Site and Subject Experts shall be clearly identified on the approval page of every Site-Specific TIB to which they contributed.

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<sup>a</sup> "Site profile document" also includes any "Technical Basis Documents," or TBDs, related to the site.

<sup>b</sup> "Attributed" means the inclusion of footnotes, endnotes, a list of references, or other markings to identify the person, organization, or document sources for information in Program documents. The level of specificity of the attribution shall be appropriate to the importance of the information and may include, for example, document sections, paragraphs, tables or figures, or other key components of the document.

<sup>c</sup> "Site-Specific" TIB is one that applies to a single site, or a limited number of sites where those sites are identified by name in the document.

Effective Date: 3/06/2007	Revision No. 0	Procedure No. OCAS-PR-009	Page 7 of 9
---------------------------	----------------	------------------------------	-------------

A Site-Specific Technical Information Bulletin Owner is responsible for any and all revisions to a Site-Specific Technical Information Bulletin.

- 8.1.7 **Special Exposure Cohort Petition Evaluation Document Owner - A Special Exposure Cohort (SEC) Petition Evaluation Document Owner** is responsible for leading and documenting the evaluation of a qualified SEC petition to determine the feasibility of performing dose reconstruction. This individual is the primary writer/editor of the SEC Petition Evaluation Document. The SEC Petition Evaluation Document Owner has an affirmative duty to seek out all relevant data and to objectively evaluate all relevant input with no special consideration given due to the source (*e.g.*, site expert or subject expert).

All narrative or quantitative input to SEC Petition Evaluation Documents shall be clearly attributed to each source(s) wherever it appears or is relied upon within the SEC Petition Evaluation document. In addition, both Site and Subject Experts shall be clearly identified on the approval page of every SEC Petition Evaluation Document to which they contributed.

A SEC Petition Evaluation Document Owner is responsible for any and all revisions to a SEC Petition Evaluation.

## 8.2 Non-Key Program Functions

- 8.2.1 **Administrator** - An **administrator** exercises managerial responsibility for specific aspects of the Program. However, all administrator-performed scientific and technical reviews of Dose Reconstruction Reports, Site Profile Documents, SEC Petition Evaluation Document and Site-Specific and Multiple-Site TIBs, and any other key Program documents, are considered key Program functions and are subject to COI exclusions.
- 8.2.2 **Administrative Support Staffer** - An **Administrative Support Staffer** provides administrative support for the Program and does not engage in any scientific or technical judgments regarding Dose Reconstruction Report, Site Profile Documents, SEC Petition Evaluation Documents, Site-Specific and Multiple-Site TIBs, and any other key Program document, or in any other similar aspect of the Program.
- 8.2.3 **Attorney** - An **Attorney** is an employee of the HHS Office of the General Counsel and is responsible for ensuring the legal integrity of the Program; advising HHS, CDC, NIOSH and the ABRWH on legal matters concerning the Program, the EEOICPA and its regulations; and other related matters such as procedures for handling COIs.

Effective Date: 3/06/2007	Revision No. 0	Procedure No. OCAS-PR-009	Page 8 of 9
---------------------------	----------------	------------------------------	-------------

8.2.4 **Multiple-Site Technical Information Bulletin Owner - A Multiple-Site Technical Information Bulletin Owner** is responsible for coordinating and drafting a Technical Information Bulletin (TIB) which addresses a technical issue or concern regarding dose reconstructions for a specific exposure that may occur at multiple DOE or at AWE facilities<sup>d</sup>, ensuring that all relevant information is captured in the document, evaluating information, and establishing or setting forth a specific approach to resolve the technical issue or concern. The Multiple-Site TIB Owner is the primary writer/editor of the TIB. The Multiple-Site TIB Owner has an affirmative duty to seek out all relevant information, and to objectively evaluate all relevant input with no special consideration given due to the source (*e.g.*, site expert or subject expert).

All narrative or quantitative input to a Multiple-Site TIB shall be clearly attributed to each source(s) wherever it appears or is relied upon within such a TIB. Each DOE or AWE site to which the TIB applies shall be listed in the TIB. In addition, both Site and Subject Experts shall be clearly identified on the approval page of every TIB to which they contributed.

A Multiple-Site Technical Information Bulletin Document Owner is responsible for any and all revisions to a Multiple-Site Technical Information Bulletin.

8.2.5 **Implementation Guide Owner - An Implementation Guide Owner** is responsible for providing basic information on the general methods employed in reconstructing either internal or external doses; these guides acknowledge the claim-specific circumstances that may require a best estimate of dose, or for efficiency purposes, an underestimate or an overestimate of the actual radiation dose received. The Implementation Guide Owner is the primary writer/editor of the Implementation Guide and is responsible for coordinating and drafting the Implementation Guide. The Implementation Guide Owner has an affirmative duty to seek out all relevant information, and to objectively evaluate all relevant input with no special consideration given due to the source (*e.g.*, site expert or subject expert).

All narrative or quantitative input to an Implementation Guide shall be clearly attributed to each source(s) wherever it appears or is relied upon within an Implementation Guide. By its nature, an Implementation Guide is relevant to all DOE or AWE sites.

8.2.6 **Scientific/Technical Reviewer of Key Program Function Documents - A Scientific/Technical Reviewer of Key Program Function Documents** is

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<sup>d</sup> A "multiple-site" TIB is one that applies in a generic fashion to a number of sites that are not designated as such in the document.



Effective Date: 3/06/2007	Revision No. 0	Procedure No. OCAS-PR-009	Page 9 of 9
---------------------------	----------------	------------------------------	-------------

responsible for conducting a scientific and technical review of the key Program document (Dose Reconstruction Report, Site Profile Document, SEC Petition Evaluation Document, Site-Specific or Multiple-Site TIB, and any other key Program document created for use by the Program).

- 8.2.7 **Site Expert** - A **Site Expert** is responsible for advising on site-specific issues and incidents as necessary to ensure the completeness and accuracy of Site Profile Documents and Special Exposure Cohort Petition Evaluation Documents. Site experts are those individuals who, because of current or prior work experience (including consulting) at or for the site, possess or are aware of information that is relevant for reconstructing radiation doses experienced by claimants who worked at the site.

Because of their work experience at or for sites under Program review and the need to prevent conflicts of interest, site experts shall play only a very limited role in accomplishing key Program functions, as follows: Site experts are not permitted to serve as document owners or authors, or to make formal public presentations on a key Program document. They may serve as a source of information to be used by a document owner in crafting a key Program document, to include providing both data and opinions on data to that document owner for the latter to use as necessary. In all cases where such information or prior studies or writings are included or relied upon by a key Program document owner, those materials shall be both fully attributed to the site expert and reprinted, if at all, only in an appendix of the key Program document.

- 8.2.8 **Subject Expert** - A **Subject Expert** is responsible for advising on scientific and technical issues and incidents as necessary to ensure the completeness and accuracy of Site Profile Documents and SEC Petition Evaluation Documents. In contrast with Site Experts, Subject Experts are those individuals who have expertise in the subject matter of the activities performed at the site, but do not have any current or prior work experience at or for the subject site itself.