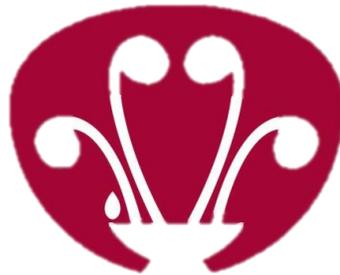




**Nurses Association**  
OF NEW BRUNSWICK

# Guidelines for Conflict of Interest



## Mission

The Nurses Association of New Brunswick is a professional regulatory organization that exists to protect the public and to support nurses by promoting and maintaining standards for nursing education and practice, and by promoting healthy public policy.

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## Preamble

The Nurses Association of New Brunswick (NANB) is a professional regulatory organization that exists to protect the public and to support registered nurses (RNs) by promoting and maintaining standards for nursing education and practice, and by advocating for healthy public policy. Through the *Nurses Act*, the nursing profession is granted the authority to set standards for education and practice of its members, with an obligation to protect the public and serve the public interest.

Guidelines support best practice in nursing. They identify principles, give instructions, information or direction, clarify roles and responsibilities, and/or provide a framework for decision making.

## Introduction

Registered nurses (RNs) and nurse practitioners (NPs) develop professional relationships with clients<sup>1</sup>, employers, professional organizations and members of society. In these relationships, RNs' primary obligation is to provide safe, competent and ethical care to their clients and maintain professional relationships with others.

RNs may from time to time unknowingly find themselves in situations of perceived or actual conflict of interest, whether in the clinical setting or other nursing roles and settings. It is thus incumbent upon RNs to become cognizant of the types of situations that may present a potential, perceived or actual conflict of interest and to take the necessary steps to avoid jeopardizing either the therapeutic nurse-client relationship<sup>2</sup> or the professional relationship<sup>3</sup>.

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<sup>1</sup> Client: Reflects the range of individuals and /or groups with whom RNs have interactions with and can include individuals, families, groups, populations or entire communities as well as students, colleagues and other health-care professionals.

<sup>2</sup> The therapeutic nurse-client relationship is a planned, time-limited and goal-directed connection between a registered nurse and a client and his significant others, for the purpose of meeting the client's health care needs.

<sup>3</sup> The professional relationship exists with the client and his significant others, outside of the episode of care, and with colleagues or the public in general.



## What is a conflict of interest?

A conflict of interest occurs when an RN's personal or private interests interfere with a client's best interests or the RN's professional responsibilities. A conflict can be potential, perceived or actual. The interest may be personal, commercial, political, academic or financial. When a conflict of interest influences, or appears to influence an RN's judgement and decisions, the trust relationship established between clients, colleagues, employers or the public in general, can be jeopardized.

Conflict of interest may affect RNs when providing professional nursing services in the areas of direct care, education, research, administration or consultation. Conflict of interest may lead to undesirable outcomes and can exist whether or not the RN is actually swayed by the competing interest. In some circumstances, small gifts from clients (e.g. flowers, gift certificates, etc.) or from suppliers (e.g. promotional items, free registration to educational events, etc.) can serve to influence one's behaviour and may be perceived to influence the judgement of the RN.

The *Code of Ethics for Registered Nurses* (2008) offers guidance on making decisions regarding the ethical issues that arise when there is a conflict of interest that affects the therapeutic nurse-client relationship. It specifies that RNs must identify and address conflicts of interest by disclosing actual or potential conflicts of interest that arise in their professional roles. To do otherwise is to compromise the integrity<sup>4</sup> of the therapeutic nurse-client relationship, the professional relationship or the public trust.

### Guideline 1: Avoiding a conflict of interest

In order to avoid conflict of interest, the registered nurse should understand and apply the following guidelines:

1. Behave in a professional manner by setting and maintaining the appropriate boundaries within the therapeutic nurse-client relationship;
2. Identify and seek to avoid potential, perceived or actual conflicts of interest;
3. Be transparent and fully and accurately disclose (to the immediate supervisor, colleagues) any relationships, affiliations, or financial and personal interests that may create a conflict of interest when involved in clinical practice, educational programs, administrative decisions or research projects;
4. When possible and after consultation with appropriate people, remove oneself from discussions and decisions when a conflict of interest is identified;

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<sup>4</sup> Integrity for health-care providers means consistently following accepted moral norms. Implicit in integrity is soundness, trustworthiness and consistency of convictions, actions and emotions. (*Code of Ethics for Registered Nurses*, 2008)



5. Use judgement in accepting gifts from a client or client's significant other (Appendix B: Giving and Accepting Gifts, *Standards for nurse-client therapeutic relationship*, 2015), or from commercial sources (e.g. pens, food, door prizes and educational sponsorship from suppliers) and identify the possible motives of the giver recognizing the potential to create an obligation and lose objectivity of one's nursing responsibilities;
6. When organizing a professional activity (i.e. educational event, fund raising, research) only accept funds from commercial sources in the form of an unrestricted grant<sup>5</sup> paid to the organization sponsoring the activity;
7. Clients from an employment-related setting should not be referred to one's independent practice;
8. Follow the NANB's guidelines when advertising or promoting independent nursing services (Appendix A) which include using the title "Nurse", "Registered Nurse", "RN", "NP" and "Nurse Practitioner", to endorse, advertise or promote only those services that NANB considers to be the practice of nursing (*Nurses Act*); and
9. If a conflict of interest is unavoidable, identify the problem, discuss it with the appropriate people (ex: colleagues, employer, client) and resolve the conflict situation.

## Guideline 2: Determining if there is a conflict of interest

When determining if there is a conflict of interest, here are some questions that the RN can ask herself:

1. Would my clients, colleagues, employer, or the general public trust my professional judgement and decisions if they knew I was in this situation?
2. Would I be comfortable if my clients or others learned that I have personal interests in this situation?
3. Do I personally gain from this situation?
4. Would accepting a gift or payment influence my current or future decisions related to my client?
5. Would I feel obligated to someone, now or in the future if I accepted this benefit?

If any answer to these questions suggests that there is a conflict of interest, then the conflict must be managed and resolved.

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<sup>5</sup> "Unrestricted" funds are donations that are available for the non-profit to use toward any purpose. Unrestricted funds usually go toward the operating expenses of the organization. (<http://nonprofit.about.com/od/glossary/g/restricted.htm>)



## Guideline 3: Managing a conflict of interest

To manage a conflict of interest the registered nurse should:

1. familiarize herself with the employer's existing conflict of interest policies or support the development of policies to address conflicts of interest within the organization;
2. abstain from accepting gifts unless, in rare instances, the refusal will harm the therapeutic nurse-client relationship. If the refusal could be harmful, the RN should consult with a supervisor and document the consultation before accepting the gift;
3. make well-informed choices by considering evidence from a variety of sources and the client's best interest when purchasing or recommending products and services or as an NP, when prescribing drugs and equipment;
4. recognize that at times, it may be appropriate to participate in resolving the conflict of interest, or resign from a committee or organization that creates a conflict of interest;
5. ensure that when participating in an educational activity sponsored by an industry, it is intended to increase knowledge and not simply self-promotional in nature;
6. when planning an educational activity, make sure it is the RN organizing the activity who decides on the content and activities;
7. educate student nurses including nurse practitioner students about the potential influence of medical supply and pharmaceutical companies on their actions;
8. reveal any conflict of interest related to the research and publishing process (Ex.: as an author, editor, reviewer, researcher, faculty member or as a student).

## Conclusion

Registered nurses need to recognize that they are not immune from conflict of interest situations. RNs need to show introspection when making decisions around situations which could be considered as potential, perceived or actual conflicts of interest. Given that clients are at the core of nursing practice, RNs must ensure that clients' best interest guide their decisions.



## Support Documents

To assist you in better understanding important issues to consider when reflecting on conflict of interest in your nursing practice, you may want to consult the following documents all available on NANB's website under *Publications*.

Canadian Nurses Association. (2008). *Code of Ethics for Registered Nurses*. Ottawa: Author.

Nurses Association of New Brunswick. (2009) *Entry-level Competencies for Registered Nurses in New Brunswick*. Fredericton: Author

Nurses Association of New Brunswick. (2015) *Guidelines for Self-Employed Registered Nurses*. Fredericton: Author.

Nurses Association of New Brunswick. (2002). *Nurses Act*: Fredericton: Author.

Nurses Association of New Brunswick. (2015). *Standards for the Therapeutic Nurse-Client Relationship*. Fredericton: Author.

Nurses Association of New Brunswick (2012). *Standards of Practice for Registered Nurses*. Fredericton: Author.

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## Appendix A: Self-Employed Registered Nurses

The self-employed registered nurse in independent practice provides professional nursing services directly to clients in a variety of practice settings in the areas of direct care, education, research, administration or consultation. Clients may be individuals, families, groups, corporations, educational institutions, communities or other health care agencies.

Registered nurses in independent practice must avoid conflict of interest situations in their practice particularly when it comes to the endorsement and advertising of products.

### **Endorsement**

Endorsing or promoting a product or service may be considered a conflict of interest. A registered nurse may not use her title to promote a personal interest in a commercial product or service. Endorsement occurs when an RN uses her credentials to lend credibility to a commercial product, product line or service. A registered nurse with a vested interest in a specific product cannot use her designation as an RN or NP to lead the public to believe she knows that one product is better than another even if she believes it to be true. The endorsement of a product or service without providing information about other options could mislead the public and compromise trust.

### **Advertising**

Nurses may use the title “Registered Nurse, “Nurse Practitioner”, “RN”, “NP” or “Nurse” to market professional nursing services, as this informs consumers/clients making choices related to their health care. These titles are not to be used to market services not considered by NANB to be nursing service.



## References

Canadian Nurses Association. (2008). *Code of Ethics for Registered Nurses*. Ottawa: Author.

Canadian Nurse Protective Society (2008). *InfoLAW- Confidentiality of Health Information*. Ottawa: Author.

College of Nurses of Ontario. (2014). *Practice Guideline: Independent Practice*. Toronto: Author.

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