

# **Occupational Therapy Compact Commission Administrative Policy**

## **Code of Conduct**

Adopted by the OTCC August 3, 2022

### **I. Introduction**

As a joint government entity created by the enactment of the Occupational Therapy Compact (OT Compact/Compact) by the member states, the Occupational Therapy Compact Commission (Commission) affords great deference to its member states in selecting OT Compact Commission Delegates (Delegates) to represent them. The diverse personal, educational, and professional backgrounds of Delegates are one of the Commission's greatest assets. However, this diversity means that some Delegates may have personal pecuniary interests which are affected by the outcomes of management and other decisions which must be made concerning the administration of the Compact Commission at times. This policy was implemented to ensure transparency, accountability, and integrity in the Commission's decision-making process.

### **II. Code of Conduct**

Delegates and their Temporary Representatives appointed by the states are responsible for upholding the integrity of the Commission and its member states. No Delegate or Temporary Representative shall engage in criminal or unethical conduct prejudicial to the Commission, any other Delegate, or any other state.

No Delegate or Temporary Representative shall vote or participate in debate upon a matter in which they have a direct or indirect financial or other personal interest resulting in a personal benefit that conflicts with the fair and impartial conduct of official duties. The Executive Committee shall have the sole authority to consider allegations of breaches of this code, including appeals from Delegates alleged to be in violation herewith. In the case of a breach, the Executive Committee may direct the Chair to notify the appropriate appointing authority in the Delegate's home state.

### **III. Definition**

A Conflict of Interest is a set of circumstances that creates a risk that professional judgement or actions regarding a primary interest will be unduly influenced by a secondary personal interest economic or otherwise.

### **IV. Disclosure of Conflicts of Interest**

1. All Delegates and Temporary Representatives are required to complete a Code of Conduct form. The form constitutes an agreement by each Delegate and Temporary Representative to disclose personal interests that may impact the ability of a Delegate or Temporary Representative to conduct business in a "fair and impartial" manner

and that the Delegate or Temporary Representative will recuse from debating or voting on such a matter in fulfilling the duties of an OT Compact Delegate or Temporary Representative.

2. Completed Code of Conduct forms must be submitted to the Executive Director by January 31 of each year, regardless of whether there have been any changes in status from the previous year. If a Delegate or Temporary Representative is appointed after January 31, a completed Code of Conduct form must be submitted prior to participation in a Commission meeting. For the first year of implementation of this policy, all Delegates and Temporary Representatives must complete the form prior to the August 3, 2022 Inaugural Meeting.
3. Completed Code of Conduct forms are public documents which may be disclosed by the Commission upon request.

#### **V. Delegate and Temporary Representative Recusal**

Prior to the discussion of an issue in which a Delegate or Temporary Representative believes a conflict of interest may exist, the Delegate or Temporary Representative must announce to the Committee or Commission meeting that they are recusing themselves from participating in the caucus and voting. Once recused, the Delegate or Temporary Representative will not be able to participate in the debate or the vote concerning the matter which led to the recusal.

#### **VI. Concerns over Financial Disclosure and Conflict of Interest**

Concerns over conflicts of interest should be brought to the attention of the Chair of the Commission for consideration by the Executive Committee. The Executive Committee will determine if any of the provisions of the Commission's Policy on Conflicts of Interest have been violated and decide the appropriate action, if any.

#### **VII. Notification of Home State Appointing Authority**

If any of the following conditions are met, the Commission may notify the appropriate appointing authority in the home state of the Delegate or Temporary Representative regarding its concern about the ability of the Delegate or Temporary Representative to perform his/her duties in a fair and impartial manner.

1. The Delegate or Temporary Representative has a substantial financial conflict of interest in the outcome of the matter, such as the awarding of a contract for services or employment;
2. The Delegate or Temporary Representative has a substantial positional conflict of interest in the outcome of the matter, such as a leadership position for another organization whose purpose is contrary to that of the Commission;

3. The Delegate or Temporary Representative has been found in violation of criminal or civil state or federal statute or regulation;
4. The Executive Committee determines that a Delegate or Temporary Representative is not performing their duties consistent with this policy.

**Code of Conduct Form**

Delegates or Temporary Representatives appointed by the states are responsible for upholding the integrity of the Commission and its member states. No Delegate or Temporary Representatives shall engage in criminal or unethical conduct prejudicial to the Commission, any other Delegate, or any other state. No Delegate or Temporary Representative shall have a direct or indirect financial interest that conflicts with the fair and impartial conduct of official duties. The Executive Committee, in consultation with Legal Counsel to the Commission, shall have the sole authority to consider allegations of breaches of this code, including appeals from Delegates alleged to be in violation herewith. In the case of a breach, the Executive Committee may direct the Chair to notify the appropriate appointing authority in the Delegate or Temporary Representative’s home state.

I, \_\_\_\_\_,  
*(print name)*

\_\_\_\_\_ for the State of \_\_\_\_\_  
*(title—delegate or temporary representative)*

hereby swear or affirm that I have read and understand the OT Compact Commission Code of Conduct and will comply with said policy in all matters pertaining to my duties and obligations as a Delegate, Temporary Representative, or Officer of the Commission, including my obligation to recuse myself from consideration, debate or voting on any matter that conflicts with the fair and impartial conduct of my official duties.

\_\_\_\_\_  
*(Signature)*

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.