











~~(4) Real~~(5) An investment held by the member or a member of his or her immediate family in a privately held biotechnology company.

~~(6) An interest worth \$2,000 or more held by the member or a member of his or her Immediate Family in real property interests in California held by members, their spouses, or others with whom a member has a common financial interest.~~

(f) Disqualification: A non-ICOC member is required to report to the CIRM staff any conflict of interest of which he or she is aware, including, but not limited to, those described in subdivisions (b) through (ed) of this regulation. ~~Any, and any application as to which the Member believes his or her objectivity could be compromised. A non-ICOC member of the Grants Review Working Group who has a real or apparent conflict of interest, as described in subdivisions (b) through (d) of this regulation, or who believes that his or her objectivity could be compromised,~~ with respect to an application may not review or vote on the application and must leave the room when that application is discussed. In exceptional cases, the President of the CIRM may decide that the need for special expertise of the reviewer outweighs any possible bias posed by a real or apparent conflict of interest. Under these circumstances, the CIRM staff shall publicly disclose the working group member's interest before the meeting and the working group member shall be permitted to participate in the discussion but will not be permitted to vote on the application or participate in the scientific scoring.

(g) All non-ICOC members must ~~sign a pre-review statement indicating~~indicate any possible conflicts of interest that they have in advance of a review, and must ~~also sign a post-review statement~~certify that they did not participate in the discussion or review of any application for which they ~~might have a conflict of interest, or shall~~ indicate permission to participate was granted by the President pursuant to subdivision (f) of this regulation.

(h) Record-Keeping: All financial disclosure documents shall be kept confidential by the CIRM staff and preserved for purposes of review by the State Auditor or another independent auditor and any other audit as required by law. Records of the working group indicating those members who participated in or voted on particular recommendations shall be maintained by the CIRM staff. If the CIRM or an auditor discovers a violation of these conflict of interest provisions, a report will be made to the Legislature along with a review of corrective actions taken by the CIRM to prevent future occurrences.

(i) For purposes of this section, the following terms have the following meanings:

(1) "Immediate Family" member means a non-ICOC member's spouse, domestic partner, and dependent children.

(2) "Key Personnel" means (1) the principal investigator or program director; or (2) any other person, including an independent consultant or an employee of a Subcontractor or Partner, who is expected to contribute to the scientific development or execution of the

project in a substantive, measurable way and who is expected to: (a) receive or has been promised income, or anything else of value, of \$10,000 or more per year through the proposed project or (b) contribute one percent (1%) or more effort to the proposed project. "Key Personnel" does not include a person who is expected to be involved in the proposed project but who does not satisfy paragraphs (1) or (2).

(3) "Partner" means an organization that, in exchange for the right to the opportunity for a future financial return, has (1) agreed to provide matching funds for the proposed project or (2) entered into an agreement with the applicant organization relating to the commercialization of the proposed project.

(4) "Research Collaborator" or "Research Collaboration" means participation as Key Personnel on the same research project or effort to advance or publish research results or the commercial development of a product. The terms do not include passive associations such as belonging to the same scientific society or contributing to the same review article or textbook.

(5) "Subcontractor" means an organization (other than the applicant organization) that is expected to: (a) contribute to the scientific development or execution of the project in a substantive, measurable way and (b) receive \$50,000 or more through the proposed project. "Subcontractor" does not include suppliers of widely available goods.

Note: Authority cited: California Constitution, article XXXV; Section 125290.40, subd.(j), Health and Safety Code.

Reference: Sections 125290.50, subd. (e), 125290.60, Health and Safety Code.