

## Supplementary Appendix

This appendix has been provided by the authors to give readers additional information about their work.

Supplement to: Okike K, Kocher MS, Wei EX, Mehlman CT, Bhandari M. Accuracy of conflict-of-interest disclosures reported by physicians. *N Engl J Med* 2009;361:1466-74.

## ONLINE SUPPLEMENT

### I. Company Disclosure Requirement

As part of the Deferred Prosecution Agreement, the five companies in question were required to disclose the name, city and state of residence of each company consultant, as well as the monetary and in-kind payments made to these consultants. The relevant text of the Deferred Prosecution Agreement follows below:

*“Within thirty (30) calendar days of the Effective Date of this DPA, the Company shall prominently feature on its web site the name, city, and state of residence for each of the Company’s Consultants who were retained at any time in 2007, who provided Consulting Services to the Company at any time in 2007, or who received any Payments from the Company in 2007. The Company shall also there disclose the Payments made to each Consultant to date in 2007 within \$25,000 increments, and, within sixty (60) calendar days of the Effective Date, all other Payments made in other than dollar form. Within ten (10) calendar days after a new Consulting Agreement or renewal is executed, the Company shall post the name of the Consultant on its web site. If the Company has or does enter into a Consulting Agreement with an entity rather than an individual, the Company shall post both the name of the entity and the individual providing Services to the Company under the Consulting Agreement. Payment information shall be updated quarterly during the term of this DPA to reflect the total Payments made to each Consultant within \$25,000 increments, and all other Payments made in other than dollar form. The Company must also disclose this information to the Consultant’s affiliated hospitals.”<sup>1</sup>*

## II. Mandatory Financial Disclosure Form

Each individual who authored a presentation or served as a board member or committee member at the 2008 Annual Meeting of the American Academy of Orthopaedic Surgeons was required to complete the following disclosure statement:

### Mandatory Financial Disclosure Statement

Below you will find two statements, one of which will apply to you in connection with your participation at the AAOS 75th Annual Meeting, March 5-9, 2008 in San Francisco, CA. *Please note: ACCME regulations require that all disclosures be published in the Final Program and Proceedings Book.*

Please read the following two statements and place a check in the box opposite the statement which applies. If you have received something of value from a commercial company or institution which relates directly or indirectly to the subject of your presentation, place a check in the first box. Also include the name of the commercial company or institution that provides the support. Your disclosure will be listed next to your name in the Final Program.

*The Academy does not view the existence of these interests or commitments as necessarily implying bias or decreasing the value of your participation in Academy activities.*

1.  I (or a member of my immediate family) have received something of value from or own stock (or stock options) in a commercial company or institution related directly or indirectly to the subject of my presentation. Check all that apply:

a. **Research or institutional support has been received from:**

\_\_\_\_\_  
(name of source)

b. **Miscellaneous nonincome support (e.g., equipment or services), commercially derived honoraria, or other nonresearch related funding (e.g., paid travel) has been received from:**

\_\_\_\_\_  
(name of source)

c. **Royalties have been received from:**

\_\_\_\_\_  
(name of source)

d. **Stock or stock options held in:**

\_\_\_\_\_  
(Company name)

e. **Consultant or employee:**

\_\_\_\_\_  
(Company name)

2.  I (or a member of my immediate family) have not received anything of value from or own stock (or stock options) in a commercial company or institution related directly or indirectly to the subject of my presentation.

Signed: \_\_\_\_\_

Date:

### III. Survey

The following survey was administered to each physician in receipt of payments that were not disclosed in the 2008 Annual Meeting Final Program:

## SURVEY

I understand that by returning this survey I am consenting to its use in an international survey of orthopaedic surgeons. My answers will be kept confidential and reported only in aggregate form. I understand that I can skip any questions I wish to or decide not to return the survey.

1. Do you recall receiving consulting/royalty payments from Biomet, DePuy, Smith and Nephew, Stryker, or Zimmer for the 2007 calendar year?

Yes       No

2. If so, are you aware that your name appeared on the list of payments made to orthopaedic surgeons by Biomet, Depuy, Smith & Nephew, Stryker or Zimmer during the 2007 calendar year?

Yes       No

If yes, on which company disclosure list(s) were you aware that your name appeared? (Check all that apply)

Biomet       Depuy       Smith & Nephew       Stryker       Zimmer

3. Do you recall whether any consulting/royalty payments were disclosed in the program of the 2008 Annual Meeting of the American Academy of Orthopaedic Surgeons (AAOS)?

Yes       No

4. If you received payments from Biomet, Depuy, Smith & Nephew, Stryker or Zimmer during the 2007 calendar year, which of the following statements below most accurately describes your rationale for not disclosing such payments at the 2008 AAOS Annual Meeting? (Check all that apply)

- 2007 company payment was **unrelated** to 2008 Annual Meeting presentation topic
- 2007 company payment was **unknown** at the time of 2008 Annual Meeting disclosure
- 2007 company payment was received **after** 2008 Annual Meeting disclosure deadline
- 2007 company payment was **not large enough** to be reported
- 2007 company payment was **unintentionally omitted** from 2008 Annual Meeting disclosure (forgotten)
- 2007 company payment was **intentionally omitted** from 2008 Annual Meeting disclosure
- 2007 company payment was disclosed but was **inaccurately printed** in 2008 Annual Meeting disclosure

disclosure

- I **did not know** that disclosure of 2007 company payment was required at 2008 Annual Meeting
- There must be some sort of **mix-up**, as I did not make a presentation at the 2008 AAOS Annual Meeting and/or did not receive any payments from the companies in question during the 2007 calendar year
- Other reason (explain below)

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5. Was the 2007 payment to you as reported by Biomet, Depuy, Smith & Nephew, Stryker or Zimmer **related** (directly or indirectly) to your topic(s) of presentation at the 2008 AAOS Annual Meeting?

Yes       No       Do not recall

If yes, was the 2007 payment to you as reported by Biomet, Depuy, Smith & Nephew, Stryker or Zimmer disclosed on the **first slide** of your 2008 AAOS Annual Meeting presentation(s)?

Yes       No       Do not recall

6. Please indicate your practice type:

Academic       Non-academic (including private practice and/or group practice)

Thank you very much for your cooperation.

## REFERENCES

1. Zimmer. "Deferred Prosecution Agreement." Available online at: [http://www.zimmer.com/web/enUS/pdf/Zimmer\\_DPA.pdf](http://www.zimmer.com/web/enUS/pdf/Zimmer_DPA.pdf). Last accessed 29 April 2009.