



State of South Carolina
Department on Aging

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PROGRAM INSTRUCTION FOR: CONFLICTS OF INTEREST

INFORMATION MEMORANDUM FOR: Area Agencies on Aging

SUBJECT: PROGRAM INSTRUCTION (PI) CONFLICTS OF INTEREST POLICY

DATE: August 10, 2026

AAA COMPLIANCE DATE: July 1, 2027

CONFLICTS OF INTEREST	POLICY NUMBER
REFERENCE(S): 45 CFR 1321.47	
RELEASE DATE: July 1, 2026	AAA COMPLIANCE DATE: July 1, 2027

Definitions:

Conflicts of interest means:

1. One or more conflicts between the private interests and the official responsibilities of a person in a position of trust;
2. One or more conflicts between competing duties of an individual, or between the competing duties, services, or programs of an organization, and/or portion of an organization;
3. Any situation where a person's judgment in administering or participating in an activity may be compromised by personal, financial, or professional gain, or the appearance thereof; or
4. Other conflicts of interest identified in SCDOA policies.

Organizational Conflict of Interest: A conflict arising when an organization involved in administering services also makes funding or oversight decisions without proper separation of duties, or an organizational relationship that is prohibited in other policies.

Family Member: Includes spouse, parent, sibling, child, or in-laws, or member of the household with whom the individual has a significant personal relationship.

Policy Statement

This policy establishes standards of conduct and procedures that enable the South Carolina Department on Aging (SCDOA) to identify, avoid, remove, and remedy actual, perceived, or potential conflicts of interest in the administration of programs under the Older Americans Act (OAA) and other appropriate programs. The purpose of this policy is to safeguard the integrity of the administration of programs funded by the SCDOA against conflicts of interest, both organizational and individual.

The scope of this policy includes all employees of SCDOA who administer programs funded by the OAA, area agencies on aging, volunteers, advisory boards, contractors, and providers of services funded by the OAA. All agencies that operate a Title III program must have policies in place to prohibit the employment or appointment of Title III program decision-makers, staff, or volunteers with a conflict that cannot be adequately removed or remedied.

Anyone who works on programs funded by or receives funding from the OAA must work continually to identify, avoid, remove, and remedy conflicts of interest in a Title III program at organizational and individual levels.

Individuals must not participate in the administration or provision of OAA-funded programs if they, or their immediate family members, have a personal conflict of interest or a financial interest in a Title III program.

Individuals involved in the administration of SCDOA programs may not solicit or accept gifts, favors, or anything of monetary value from contractors or vendors, except unsolicited items of nominal value.

It is the duty of all SCDOA employees to identify and report any actual, perceived or potential conflict of interest, both individual and organizational, to the SCDOA Ethics Officer.

Enforcement and Penalties:

Violations of this policy could include, but may not be limited to:

- Termination of employment;
- Termination of funding or contract;

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- Disqualification from program eligibility;
 - Referral to state ethics enforcement agencies;
 - Corrective Action Plan

SUA Procedure

Organizational Conflicts of Interest:

At least annually, SCDOA will screen for organizational conflicts of interest, using the form, Conflict of Interest Screening - Organizational. The form should be reviewed by the SCDOA Ethics Officer and retained in their files. Should an organizational conflict be identified, SCDOA will take action to remove or remedy the conflict.

Individual Conflicts of Interest:

Upon hire, and at least annually thereafter, SCDOA employees will complete a Conflict of Interest Screening – Individual form. This form will be reviewed and retained by the SCDOA Ethics Officer; in the event a conflict is identified, the form will also be retained in the HR personnel file.

If individual conflicts of interest are identified, SCDOA and the employee will take action to remove or remedy the conflict. Remedies may include, but are not limited to: divestment of financial interests by the employee or their family member or reassignment of Title III duties.

Where a conflict cannot be adequately removed or mitigated, the employee may be suspended or removed from conflicting duties and/or their position.

Monitoring of AAAs:

At least annually, SCDOA will monitor the AAAs to ensure compliance with requirements outlined below. Monitoring activities may include, but not be limited to: reviewing AAA and contractor/vendor policies and procedures, reviews of employee or organizational conflict of interest screenings, etc.

AAA Procedure

AAAs must have policies and procedures that safeguard against conflicts of interest on the part of the area agency, area agency employees, governing board and advisory council members, and awardees who have responsibilities relating to the area agency's grants and contracts. These policies and procedures must establish mechanisms to avoid both actual and perceived conflicts of interest and

to identify, remove, and remedy any existing or potential conflicts of interest at organizational and individual levels, including:

1. Reviewing service utilization and financial incentives to ensure agency employees, volunteers, governing board and advisory council members, grantees, contractors, and other awardees who serve multiple roles, such as assessment and service delivery, are appropriately stewarding Federal resources while fostering services to enhance access to community living.
2. Ensuring that the AAA employees and agents administering Title III programs or other AAA programs do not have a financial interest in Title III or other AAA programs;
3. Removing and remedying any actual, perceived, or potential conflict between the AAA and the AAA employee or contractor's financial interest in a Title III or other AAA program;
4. Establishing robust monitoring and oversight, including periodic reviews, to identify conflicts of interest in the Title III and other AAA programs;
5. Ensuring that no individual, or member of the immediate family of an individual, involved in Title III programs or other AAA programs has a conflict of interest;
6. Requiring that agencies to which the AAA provides Title III funds or other aging services funds have policies in place to prohibit the employment or appointment of Title III or other aging program decision makers, staff, or volunteers with conflicts that cannot be adequately removed or remedied;
7. Requiring that Title III programs, as well as other appropriate aging programs, take reasonable steps to refuse, suspend or remove Title III or other program responsibilities of an individual who has a conflict of interest, or who has a member of the immediate family with a conflict of interest, that cannot be adequately removed or remedied;
8. Complying with SCDOA's periodic review and identification of conflicts of the Title III program;
9. Prohibiting the officers, employees, or agents of the Title III program or other aging programs from soliciting or accepting gratuities, favors, or anything of monetary value from grantees, contractors, and/or subrecipients, except where policies and procedures allow for situations where the financial interest is not substantial, or the gift is an unsolicited item of nominal value;
10. Establishing the actions the AAA will require Title III programs and any other AAA programs to take in order to remedy or remove such conflicts, as well as disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the Title III program and/or other AAA program; and

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11. Establishing contracts with subgrantees that include language documenting conflict of interest requirements in alignment with SCDOA policies.

See also: (related/cross-referenced policies and/or forms – use hyperlinks)

Conflict of Interest Screening – Organizational

Conflict of Interest Screening – Individual



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