



Office of Professional and Public Education
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CME Commercial Support Policy

The ACCME defines a commercial interest as any entity producing marketing, reselling or distributing health care goods or services, consumed by or used on patients (2010). **Commercial interests may not be joint sponsors of CME activities.**

The Medical Society of Delaware (MSD) will accept the support of pharmaceutical and other commercial organizations for the development and implementation of CME, but will not be required to accept advice or services concerning teachers, authors, or participants or other education matters, including content, from a commercial interest as conditions of contributing funds or services.

MSD is bound by the ACCME's Standards for Commercial Support which is attached.

It is expected that support for a CME activity will be provided in the form of an educational grant, which is either:

- a grant received from a non commercial interest; or
- a grant provided by an ACCME-defined commercial interest.

Independence

The following decisions regarding the CME activity must be made free of the control of commercial interests: identification of CME needs; determination of educational objectives; selection and presentation of content; selection of all persons and organizations in a position to control the content of the CME; selection of educational methods; and evaluation of the activity.

Anyone in a position to control the content of the CME, including planners, faculty/speakers/teachers, authors or reviewers, must disclose all relevant financial relationships with any commercial interest. A financial relationship is a relationship in which an individual benefits by receiving salary, royalty, intellectual property rights, consulting fee, honoraria, ownership interest, or other financial benefit. A "relevant" financial relationship is a relationship in any amount within the past 12 months that creates a conflict of interest. MSD requires all planners and all faculty/speakers/authors/moderator/content reviewers to complete a Disclosure of Financial Relationships Form to determine if a potential or apparent conflict of interest exists. Individuals who refuse to disclose relevant financial relationships will be disqualified from being a planner, faculty/speaker/author/reviewer, and can have no involvement with the CME activity whatsoever. If a potential conflict is identified, the Activity Director will complete a Resolution of Conflict of Interest Form on which the Director commits to resolve the conflict by one or more of the following: alter the financial relationship, alter control over content; peer review of the content, or elimination.

The development and execution of educational activities funded by independent grants received from commercial supporters may not be influenced by other affiliate organizations or internal departments that either receive payment for services or other grants or sponsorships from such commercial supporters.

Written Agreement

All commercial support associated with a CME activity must be given with the full knowledge and approval of MSD. A "Written Letter of Agreement for Support from Commercial Interests is required. This agreement, which specifies the source of the support, documents the terms, conditions and purposes of the support. This agreement must be signed by the MSD, commercial supporter, educational partner and joint sponsors (if any). Commercially supported grants must be made payable ONLY to the MSD, or the joint sponsor.

Disposition and Disbursement of Funds

MSD will make all decisions regarding the disposition and disbursement of commercially supported educational grant monies. All income such as registration fees, grants, and in-kind support should be received by the joint-sponsor or the MSD office, and all expenses associated with the activity will be paid directly by the joint-sponsor or by MSD. Only MSD or the joint-sponsors may pay directly any teacher, author honoraria or expenses in compliance with MSD's Honoraria Policy and Travel Policy for CME accredited Meetings and Events Policy, which are attached.

To Faculty/Speakers/Authors/Content Reviewers :

The determination of honoraria amount is at the discretion of MSD and the joint-sponsor. All honoraria and reimbursement of out-of-pocket expenses must be paid directly by the MSD, or joint sponsor (if any), in accordance with MSD written MSD Honoraria Policy and MSD Travel Reimbursement Policy and procedures. Reimbursement for services and out-of-pocket expenses must be paid directly to the speaker or author by MSD or the joint-sponsor, only for costs associated with his/her role as teacher or author.

It is not permissible for faculty/speaker/author/content reviewer expenses to be paid directly by the commercial supporter to the invoicer, and such action may result in the denial of future consideration of activities for credit. No other payment from an ACCME-defined commercial interest may be given to the Activity Director, planning committee members, teachers, authors, content reviewers, joint sponsor or other involved in the activity. Commercial support may not be used to pay for ANY expenses for non-teacher or non-author participants in a CME Activity.

To Vendors:

The determination of meal-cost per attendee and site expenses is at the discretion of the MSD and the joint-sponsor and must be reasonable. As a guideline, the Medical Society of Delaware expects that dinner and social expenses should not exceed \$100.00 per person, but moreover that these functions should not compete with or take precedence over the educational event. It is not permissible for food, site or service expenses to be paid directly by the commercial supporter to the invoicer, and such action may result in the denial of future consideration of activities for credit.

To Learners:

It is not permissible for learners to be compensated for participating in an activity.

Documentation

In addition to the required "Final Budget" at the close of the activity, joint-sponsors should be prepared to produce a detailed accounting of receipts and expenditures. Activity financial records must be maintained by the joint-sponsor for seven years.

Advertisement and Promotion

- Arrangements for commercial exhibits or advertisements cannot influence planning or interfere with the presentation, or be a condition of a commercially supported grant for an activity.
- During CME sessions, product promotion material or product-specific advertisement of any type is prohibited.
- It is inappropriate for advertisements and promotional materials to be displayed or distributed in the educational space or room immediately before, during or after a CME activity. Representatives of commercial interests are NOT allowed to solicit, engage in sales or promotional activities in the space or room of the CME activity, and are not permitted in lecture rooms.
- Slides, handouts, folders and any other educational materials that are part of a CME activity cannot contain advertising, trade name, product group messages, or brand-specific information, unless completely separate from the CME portion of the event.
- Commercial support for the course must be acknowledged in all printed publicity and course materials -- all promotional pieces for the activity MUST be reviewed by MSD prior to printing and distribution. The phrase "CME's have been applied for" is not permissible.

Content

- The content of the CME event must promote improvements to health care, and not a specific commercial interest.
- MSD will limit its sponsorship for CME credit to those activities that fall within the FDA definition of independent activities: objective and balanced treatment of the topic, with a range of views about a class of drugs or disease treatment options included, and scientifically rigorous data presentations, with no control exerted by the commercial sponsor over content or implementation. Negative as well as positive information should be presented.

Disclosure

- All relevant financial relationships of those with control over CME content must be disclosed to learners prior to the beginning of the activity . This disclosure must include the name of the individual, name of the commercial interest(s), and nature of the individual’s relationship with each commercial interest. Even if the individual has no relevant financial relationships, the learners must be informed that no relevant financial relationships exist.
- Disclosure must be made before the activity, by the activity director. If written disclosure is not available, the activity director must sign a “Verbal Disclosure” form to attest that proper disclosure was made from the podium. Disclosure must not include a trade name or product-group message.
- All support from commercial interests must be disclosed to learners, even if the support is in-kind, and must be acknowledged in all printed publicity and materials. If supporters cannot be listed on the preliminary brochure, supporters must be disclosed in written form to the audience the day of the event.