CONFLICT OF INTEREST REVIEW GUIDELINES

I. Background: ACCME Standards - Resolution of Personal Conflicts of Interest

ACCME Standard 2.1 The provider must be able to show that everyone who is in a position to control the content of an education activity has disclosed all relevant financial relationships with any commercial interest to the provider. The ACCME defines "'relevant' financial relationships" as financial relationships in any amount occurring within the past 12 months that create a conflict of interest.

ACCME Standard 2.2 An individual who refuses to disclose relevant financial relationships will be disqualified from being a planning committee member, a teacher, or an author of CME, and cannot have control of, or responsibility for, the development, management, presentation or evaluation of the CME activity.

ACCME Standard 2.3 The provider must have implemented a mechanism to identify and resolve all conflicts of interest prior to the education activity being delivered to learners.

II. Process: Actionable Steps for Reviewer

a. Reviewing Disclosures.

Staff from the CME Office will begin the conflict of interest evaluation process by reviewing disclosures of the Course Director, Program Chair, and Planning Committee. When all conflicts have been resolved, the Course Director may proceed with reviewing disclosures of speakers, instructors, presenters, and anyone who will be making decisions re: program content and/or the selection of speakers.

Note: In cases where the CME office is managing the entire event, CME staff will assume responsibility for all conflict of interest reviews.

Course directors should begin by collecting disclosures of all speakers involved in their course or educational activity. This has to be done in advance of the program date because if conflicts cannot be resolved, the speaker must be recused from participating. UI disclosures and review forms are
available online at this link. Please use our hard copy disclosure form for outside speakers. (Click on this link and scroll down to Disclosures). Anyone who does not disclose in time for a conflict of interest review may not participate in the educational activity in any capacity.

If an individual has no disclosures, confirm that you reviewed their form prior to the presentation by signing and dating their disclosure form. Nothing else is required in these cases unless you have additional concerns about commercial bias. If you do have concerns, please contact the CME Division (319/335-8599) and request assistance with a conflict of interest review.

Review each disclosure in relation to the content of the presentation and the focus of the educational activity. For example, if a speaker is vested in a company that makes a product relevant to their presentation, that would present a conflict of interest whether or not the individual has actually received financial gain at the time of the presentation. Unless you can resolve the conflict, the individual must be recused as a speaker or planner of a CME activity.

b. Resolving Conflicts.

A disclosure that is NOT relevant to the presentation (doesn’t meet the definition of a commercial interest or has nothing to do with the topic) does not constitute a conflict of interest. However, attestation from the speaker that they won’t promote products may not be used as a strategy to resolve a conflict.

A key strategy to determine whether a conflict can be resolved is to preview the individual’s presentation. If the presentation material (e.g. PowerPoint) is not complete in time for you to review it, request an outline. If you are unable to obtain any information regarding the presentation, the speaker must be recused from presenting.

A few questions to consider as you review a presentation for conflicts of interest:

1. Does the presentation appear to present the best evidence available rather than focusing on one product, company, treatment, or diagnostic tool? (Answer should be YES) ACCME Standard 5.1 The content or format of a CME activity or its related materials must promote improvements or quality in healthcare and not a specific proprietary business interest of a commercial interest. Standard 5.2 Presentations must give a balanced view of therapeutic options. Use of generic names will contribute to this impartiality. If the CME educational material or content includes trade names, where available trade names from several companies should be used, not just trade names from a single company.

2. Does it appear that the presenter developed the content themselves and did not rely on a commercial interest to create or influence the material? (Answer must be YES) Standard 4.5 A provider cannot use a commercial interest as the agent providing a CME activity to learners, e.g., distribution of self-study CME activities or arranging for electronic access to CME activities.
3. Is there any evidence of bias in the presentation toward a product or company? Does a company logo appear on any of the slides? (Answer must be NO) Standard 4.3

*Educational materials that are part of a CME activity, such as slides, abstracts and handouts, cannot contain any advertising, corporate logo, trade name or a product-group message of an ACCME-defined commercial interest.*

III. Disclosing to attendees.

Disclosures of program planners and instructors must be made known to attendees prior to the delivery of content. This process may be accomplished verbally or in a handout. If an individual has no relevant disclosures, that must be disclosed to the audience as well. *Standard 6.1 An individual must disclose to learners any relevant financial relationship(s), to include the following information: The name of the individual; The name of the commercial interest(s); The nature of the relationship the person has with each commercial interest. Standard 6.2 For an individual with no relevant financial relationship(s) the learners must be informed that no relevant financial relationship(s) exist. Standard 6.3 The source of all support from commercial interests must be disclosed to learners. When commercial support is "in-kind" the nature of the support must be disclosed to learners. Standard 6.4 'Disclosure' must never include the use of a corporate logo, trade name or a product-group message of an ACCME-defined commercial interest. Standard 6.5 A provider must disclose the above information to learners prior to the beginning of the educational activity.*
IV. APPENDIX: DEFINITIONS

Conflict of Interest. The ACCME considers financial relationships to create actual conflicts of interest in CME when individuals have both a financial relationship with a commercial interest and the opportunity to affect the content of CME about the products or services of that commercial interest.

Commercial Interest. A *commercial interest* is any entity producing, marketing, re-selling, or distributing health care goods or services consumed by, or used on, patients.

The ACCME does not consider providers of clinical service directly to patients to be commercial interests.

A commercial interest is not eligible for ACCME accreditation. Commercial interests cannot be accredited providers and cannot be joint providers. Within the context of this definition and limitation, the ACCME considers the following types of organizations to be eligible for accreditation and free to control the content of CME:

- 501-C Non-profit organizations (Note, ACCME screens 501c organizations for eligibility. Those that advocate for commercial interests as a 501c organization are not eligible for accreditation in the ACCME system. They cannot serve in the role of joint provider, but they can be a commercial supporter.)
- Government organizations
- Non-health care related companies
- Liability insurance providers
- Health insurance providers
- Group medical practices
- For-profit hospitals
- For profit rehabilitation centers
- For-profit nursing homes
- Blood banks
- Diagnostic laboratories
Definition of a Commercial Interest

A commercial interest is any entity producing, marketing, re-selling, or distributing health care goods or services consumed by, or used on, patients.

The ACCME does not consider providers of clinical service directly to patients to be commercial interests - unless the provider of clinical service is owned, or controlled by, an ACCME-defined commercial interest.

A commercial interest is not eligible for ACCME accreditation. Commercial interests cannot be accredited providers and cannot be joint providers. Within the context of this definition and limitation, the ACCME considers the following types of organizations to be eligible for accreditation and free to control the content of CME:

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ACCME reserves the right to modify this definition and this list of eligible organizations from time to time without notice.

ACCME Note:

The ACCME holds accredited providers accountable for ensuring the independence of CME. To ensure independence, it is essential for providers to understand how the ACCME defines a commercial interest. This definition sets the standard for determining organizations' eligibility for CME accreditation, as well as their eligibility to participate in joint providership and collaborative relationships with accredited providers. For additional information about types of organizations that are eligible for ACCME accreditation, see: Determining Your Eligibility for Accreditation. This policy is relevant to Standard for Commercial Support 1: Ensuring Independence in Planning CME Activities.

The ACCME's Corporate Structure Review process is in place to assist organizations in determining whether they may be an ACCME-defined commercial interest. Click here for more information.

Source URL: http://www.accme.org/requirements/accreditation-requirements-cme-providers/policies-and-definitions/definition-commercial-interest