



## Commercial Support Policy

### Background

The College of Medicine at the Arizona Health Sciences Center recognizes that interactions with commercial companies can be positive and important for promoting the educational, clinical and research missions of the College. However, these interactions must be ethical and cannot create conflicts of interest that could endanger patient safety, data integrity, the integrity of our education and training programs, or the reputation of either the College of Medicine or its personnel. The College has developed a [Conflict of Interest Policy](#) to help facilitate beneficial relationships between College and commercial companies. This policy specifically incorporates the Accreditation Council for Continuing Medical Education's (ACCME's) [Standards for Commercial Support](#).

### Definitions

For the purpose of this CME policy, the College of Medicine relies on [ACCME definitions](#).

- **Commercial Bias:** A personal judgment in favor of a specific proprietary business interest of a 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 Support:** Financial, or in-kind, contributions given by a commercial interest, which is used to pay all or part of the costs of a CME activity. The definition of roles and requirements when commercial support is received are outlined in the ACCME [Standards for Commercial Support](#).

### Summary of Requirements

1. The content and presentation of CME programs must not be influenced by commercial interests.
2. There must be a written and duly authorized Letter of Agreement between The University of Arizona (representing the Accredited Provider) and all commercial interests that provide support for the CME activity *before* the sponsored CME activity begins. If the activity is jointly sponsored, the Letter of Agreement may also include authorization by the joint sponsor.
3. Support for the CME activity must be separated from advertising and exhibit support. We do not need to be a party to advertising/exhibit agreements with joint sponsors, but we must have copies of all such agreements to confirm compliance with ACCME standards.
4. All funds must be disbursed to us or to the named joint sponsor. Commercial interests may not make direct payments for CME expenses to Activity Directors, planning members, faculty, etc. (ACCME Standard 3.8: *The provider, the joint sponsor, or designated educational partner must pay directly any teacher or author honoraria or reimbursement of out-of-pocket expenses in compliance with the provider's written policies and procedures.*)

5. All commercial support must be disclosed to learners.
6. There must be an adequate description of the uses of commercial funds or contributions in the Letter of Agreement and in the final financial records of the activity.

### **Required Documentation**

1. Authorized Letters of Agreement between us and all commercial supporters. These must be submitted *before the activity begins*.
2. Copies of Exhibitor and Advertiser Agreements.
3. Evidence that disclosure of all sources of commercial support was presented to learners prior to the beginning of the educational activity.
4. Copies of any educational materials (syllabi, slides, handouts, Web pages, etc.) that mention the names or trade names of any commercial supporters. Educational materials should not associate trade names with the names of commercial supporters.
5. Final budgets showing all revenues and expenses for CME activities receiving commercial support, including advertising and exhibit fee income.

### **Additional Information**

#### *Letters of Agreement*

Many commercial interests will have their own Letter of Agreement (LOA). Usually the University of Arizona cannot accept these LOAs as written. We can make available required University language upon request, but note that some commercial interests routinely insert clauses, such as their state of domicile being the state of jurisdiction for disputes, that the University cannot accept. We have prepared fillable LOA forms that do meet University of Arizona requirements.

#### *Acceptable Uses of Commercial Support*

Commercial support must be used by us, the Accredited Provider (or our designee), to develop objective, evidence-based CME. To this end, the commercial supporter may be acknowledged for its contribution, but it cannot play any role in the design or delivery of the CME activity. Acceptable uses of commercial support include the following:

- Compensation to the provider for justified expenses it incurred in developing the CME activity. Such expenses may include activity marketing costs, staff travel, and faculty travel and honoraria.
- Ancillary meeting costs, such as modest meal and social expenses for learners. It is essential that providers avoid making meals or social events longer or more important or more costly than the educational activity. Commercial support may not be used to pay other learner expenses, such as travel.
- In-kind support, for example use of a simulator or meeting hall. This support must be disclosed to learners and should not contain reference to a commercial interest's products or marketing messages. If a specific commercial product has been donated for the activity, alternative products from different entities should also be presented if possible.

The College of Medicine at the Arizona Health Sciences Center has no policy on the use of commercial support funds or contributions once the CME activity has been completed. Some supporters require that

excess funds be returned, others do not. We do require an accounting for the use of funds or contributions to the extent that they support the CME activity.

#### *Additional Information on Advertising and Exhibits*

It is acceptable for CME developers to offer advertising and exhibit opportunities to commercial interests. The College of Medicine does not need to participate in agreements intended to sell such opportunities; however, we must be assured that these opportunities will not affect the educational activity. Examples of non-permissible uses of advertising or exhibition associated with CME activities include, but are not limited to:

- Providing “complimentary” brochure space or exhibit space as part of an educational support package. Advertising or exhibition space must be separated from educational support and paid separately.
- Providing tote bags, pens, or other items with corporate logos or commercial messages at the time and place of CME registration. It is permissible to distribute such marketing items at meetings, but they must be physically separate from the CME materials and CME registration.
- Placing advertisements inside a meeting syllabus. It is not permissible to place commercial messages inside any aspect of an educational activity. This includes a conference hall, a syllabus, or a Website. It is permissible to place commercial messages inside a “program book” that describes meeting logistics or inside a separate and clearly identified exhibit hall.

In order to assure compliance with ACCME requirements for commercial advertising, we require that you send us copies of all agreements with commercial interests for advertising or exhibit space. We strongly recommend that you contact our Office or review information on the [ACCME Website](#) if you have questions about the use of commercial messages, images, or trade names in association with your CME activity.