



CME Conflict of Interest Policy

Background

It is an essential duty of every physician to place the welfare of their patients before their own financial interest. This duty is affirmed in the oaths physicians take upon graduation, the American Medical Association's Code of Medical Ethics, and the World Medical Association's International code of Medical Ethics.

By extension of this duty, physicians and medical educators are obligated to provide educational programs that serve the interests of patients and the public. Accordingly, medical education programs must be based on sound evidence and an objective, unbiased presentation of this evidence. This also means that employees of ACCME-defined commercial interests usually cannot be included in the planning or presentation of content at CME-approved activities. [For exceptions, [see this ACCME web page](#).]

The intent of this policy is to provide practical steps that medical educators should take to assure that their activities best serve the interests of patients and the public.

The University of Arizona College of Medicine's Faculty Conflict of Interest Policy

The University of Arizona College of Medicine - Tucson has a Faculty Conflict of Interest Policy that is broader and more general than its CME Conflict of Interest Policy. Specifically, the College of Medicine prohibits faculty acceptance of gifts from industry, limits the access of industry sales representatives, and requires full disclosure of all outside financial relationships. The College incorporates the Accreditation Council for Continuing Medical Education's (ACCME's) [Standards for Commercial Support](#) into its [Policy and Guidelines for Interactions between The University of Arizona College of Medicine and Commercial Interests](#).

Please be aware that the College's CME Conflict of Interest Policy is more specific and narrower in scope than the Faculty Conflict of Interest Policy. For example, we do not want full disclosure of all outside financial relationships. We are only interested in disclosure of *financial relationships that constitute CME conflicts of interest*. In order to discern what those are, one must be familiar with certain ACCME definitions.

Definitions for Determining CME Conflicts of Interest

For CME purposes, the key [ACCME definitions](#) are:

- **Commercial Interest:** 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.

- **Relevant Financial Relationships:** Financial relationships, including those a spouse or partner, in any amount . . . that occurred in the twelve-month period preceding the time that the individual was asked to assume a role controlling content of the CME activity. Financial relationships are . . . receiving a salary, royalty, intellectual property rights, consulting fee, honoraria for promotional speakers' bureau, ownership interest (e.g., stocks, stock options or other ownership interest, excluding diversified mutual funds), or other financial benefit.
- **Conflict of Interest:** The situation that exists when individuals have a relevant financial relationship with a commercial interest **and** the opportunity to affect the content of CME about the products or services of that commercial interest.

Summary of CME Conflict of Interest Requirements

1. If the CME activity plans to discuss "...health care goods or services consumed by, or used on, patients," then there is a *potential* for the commercial bias to occur, and the conflict of interest must be resolved/mitigated to ensure a lack of bias or promotion.
2. Persons involved in the planning of a CME activity *should not have a conflict of interest*. Exceptions can be considered on a case-by-case basis, but this involves more difficult conflict of interest resolution/management processes and documentation.
3. The Office of CME (OCME) will not approve a CME activity until all Planning Committee Members' disclosures are received.
4. *All conflicts of interest must be resolved/mitigated prior to the start of the activity*. The resolution/mitigation process must be coordinated with the OCME and documented and reported to us. Any proposed speaker or planner who refuses to complete a conflict of interest disclosure form cannot be involved with a CME-approved activity.
5. All conflicts of interest must be disclosed to learners before the activity begins, as well as how those conflicts of interest were resolved/mitigated. You must also disclose to learners when conflicts of interest *do not* exist. These disclosure statements are usually presented in writing via email announcements, slide decks, syllabus handouts, websites, or similar methods.

Required Documentation

1. You must submit signed Conflict of Interest Disclosure Forms for all Planning Committee members together your CME activity application. As stated above, Planning Committee members, including the Activity Director, should not have financial relationships with commercial interests if at all possible, though exceptions might be considered on a case-by-case basis.
2. Before the activity occurs, you must submit to the OCME signed Conflict of Interest Disclosure Forms for all faculty/presenters/moderators. If faculty/presenters/moderators disclose a financial relationship, those conflicts of interest must be resolved/mitigated in coordination with the OCME before the activity takes place.
3. The OCME must receive documentation that conflicts of interest or lack thereof were disclosed to participants, as well as how the conflicts were resolved/mitigated. The OCME will help you disclose the conflicts, or lack thereof, with the correct verbiage, which varies depending on the circumstances.

Resolving Conflicts of Interest

When a conflict of interest is present, there are a number of acceptable strategies to resolve/mitigate those conflicts of interest. Some of them are the following:

1. In advance of the activity, have the Activity Director or another member of the Planning Committee collect the presentation material (usually slide decks) and complete a [Conflict of Interest Resolution Form](#) to confirm that biased or promotional content does not exist. If the presenter has included biased or promotional content (i.e., commercial interest logos, marketing images/messages, non-peer-reviewed evidential support, etc.), remove that material. Also, ensure that comparing/contrasting of multiple therapeutic agents exists to ensure a fair/balanced presentation. Return the form and the presentation slides to the OCME so we can affirm the conflict of interest has been resolved/mitigated.
2. Replace the presenter with someone who does not have a conflict.
3. You can also choose to limit the remarks that the conflicted individual will make during the course of his/her presentation. For example, in the case of a principal investigator of a project funded by a commercial interest, you can instruct the conflicted speaker to limit their remarks to the data and results of the research. You can then assign someone else who is not conflicted to address the broader implications and recommendations for clinical care.

If you are unable to resolve the conflicted speaker's conflict of interest, then CME credit cannot be awarded for that speaker. Your audience must be advised of that fact prior to the event.

Disclosing Conflicts of Interest or Lack Thereof

Before the activity begins, you must disclose to your participants *whether or not* there are conflicts of interest for anyone in a position to control the content of your CME activity. This includes your Activity Director and other Planning Committee Members, your faculty/presenters/moderators, *and* the OCME Reviewer(s). For any identified conflicts of interest, you must disclose how any conflicts of interest were resolved/mitigated.

Below are example statements demonstrating:

- 1.) Disclosure of a lack of conflict.
- 2.) Disclosure of a lack of conflict, except for one faculty member.

1.) Lack of Conflict of Interest:

“All Faculty, CME Planning Committee Members, and the CME Office Reviewers have disclosed that they do not have any relevant financial relationships with commercial interests that would constitute a conflict of interest concerning this CME activity.”

2.) Lack of Conflict EXCEPT for One Faculty Member with One Relationship:

“Dr. John Smith has disclosed that he has the following relationship with _____:
(COMPANY)

(TYPE OF RELATIONSHIP, i.e., RESEARCH SUPPORT, SPEAKERS’ BUREAU, CONSULTANT, ETC.)
Dr. Smith’s conflict of interest was resolved/mitigated by reviewing his slides to confirm that the content was fair/balanced and non-promotional.

All other Faculty, CME Planning Committee Members, and the CME Office Reviewers have disclosed that they do not have any relevant financial relationships with commercial interests that would constitute a conflict of interest concerning this CME activity.”

Depending on the number of conflicted speakers and the number of relationships they have, the disclosure statements will vary from those demonstrated above. It is crucial that you coordinate these disclosure statements with the OCME.

Regarding Non-Compliance with the UA CME Office Conflict of Interest Policy

Developing CME activities that best serve the interests of patients and the public is the mission of the University of Arizona College of Medicine - Tucson. Recognizing and managing conflicts of interest that could adversely affect this mission is essential to our success. We require a good faith effort to comply with this Conflict of Interest Policy. Failure to comply fully with this policy could lead to removal of CME providership for your present and/or future activities, as well as the loss of paid CME providership fees..