

Continuing Medical Education

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COLLEGE
OF MEDICINE

Policy to Potentially Allow Employees of Commercial Interests as Continue Medical Education Activity Faculty

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. Educational programs must promote improvements in healthcare and not the proprietary interests of a commercial interest. Accordingly, medical education programs must be based on sound evidence and an objective, unbiased presentation of this evidence.

The Accreditation Council for Continuing Medical Education (ACCME) defines a commercial interest as 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.

Summary of Policy/Requirements

- 1.) We will inform Activity Directors (prior to and during receipt of application materials) that employees of ACCME-defined commercial interests are generally not permitted to be involved in CME activities as faculty or Planning Committee members.
- 2.) If an Activity Director submits an application for an activity that includes an employee of an ACCME-defined commercial interest as a speaker/presenter, we will ask the Activity Director to find another speaker who is not an employee of a commercial interest.
- 3.) If another such speaker can't be identified, and if the Activity Director provides evidence that the presentation by the commercial interest's employee maintains independence, serves the public interest, and meets one of the specific situations identified by the ACCME [namely that a.) the content of the CME activity is not in any way related to the business lines or products of their employer; b.) the content of the accredited CME activity is limited to basic science research (e.g., pre-clinical research; early drug or molecule discovery) or the processes/methodologies of research, which themselves are unrelated to a specific disease or compound/drug; or c.) the employee participates as a technician to teach the safe and proper use of medical devices], we will undertake a

review of the proposed presentation and document any decisions regarding whether to allow these speakers to participate in sponsored CME activities or not.

- 4.) If we agree with the Activity Director that the proposed involvement of employee(s) of commercial interests meets one of the 3 specific situations described above, we will verify that these employees do not deliver any content that is, in fact, related to clinical applications of the research/discovery or clinical recommendations concerning the business lines or products of their employer. This verification process will entail submission of the presentation slides, as well as direct communication with the proposed speaker to ensure they understand what content is not allowed. If we believe compliance with Criteria 9 and 10 has been met, approval of that speaker's involvement will be documented.

- 5.) If we do not agree that the involvement of the proposed employees is compliant with ACCME criteria and policies, we will inform the Activity Director that we will not provide CME credit for the presentation in question. If the Activity Director permits the presentation to proceed in the same educational space as the other CME-approved presentations - but with the understanding that CME credit will not be awarded for that presentation - we will assist the Activity Director in ensuring that the provisions of Criterion 9 and 10 regarding separation of promotion from education are met. Again, this will entail submission of the presentation slides and direct communication with the proposed speaker regarding prohibited content.