Commercial Support Policy

Background

The University of Arizona College of Medicine – Tucson 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 or its personnel. The College has developed a Conflict of Interest Policy to help facilitate beneficial relationships between the 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 relies on ACCME definitions.

- **Commercial Bias**: Content or format in a CME activity or its related materials that promotes the products or business lines of an ACCME-defined commercial interest.

- **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. A commercial interest is not eligible for ACCME accreditation.

- **Commercial Support**: Financial, or in-kind, contributions given by a commercial interest that is used to pay all or part of the costs of a CME activity. The requirements for receiving and managing commercial support are explained in the ACCME Standards for Commercial Support. Advertising and exhibit income are not considered 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 signed Letter of Agreement between The University of Arizona (representing the Accredited Provider) and all commercial interests that provide support for the CME activity before it begins. If the activity is jointly provided, the Letter of Agreement must also include a signature by a representative of the joint provider.

3. Commercial Support (usually grants) for the CME activity must be managed separately from advertising and exhibit revenue. The College does not need to be a party to advertising/exhibit agreements with joint providers, but we must have copies of all such agreements to confirm compliance with ACCME standards.

4. All Commercial Support funds must be disbursed to the College. 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 provider, 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 support or in-kind contributions in the Letter of Agreement and in the final financial records for the activity.

Required Documentation

1. Authorized Letters of Agreement for Commercial Support between the College and all commercial supporters. These must be submitted before the activity begins.


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. Logos of commercial supporters or other marketing content should not be used in the educational content of CME activities.

5. Final budgets showing all revenues and expenses for CME activities receiving commercial support, as well as any advertising/exhibitor 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 University of Arizona College of Medicine – Tucson has no policy on the use of commercial support excess funds or contributions after the CME activity has been completed. Some commercial interests require that excess funds be returned to them, others do not. We do require an accounting for the use of funds or contributions to the extent that they supported the CME activity.

Additional Information on Advertising and Exhibits

It is acceptable for CME activities to offer advertising and exhibit opportunities to commercial interests. The College also requires LOAs be signed for this type of revenue. The College 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 a commercial support package. Advertising or exhibition space must be paid for separately from commercial support.

- 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 the CME registration space.

- Placing advertisements inside educational materials that participants receive or encounter. Also, it is not permissible to place commercial messages inside the meeting room of an educational activity. This includes a conference hall, a syllabus of educational materials, or on 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 of Continuing Medical Education if you have questions about the use of commercial messages, images, or trade names in association with your CME activity.