



## 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 Integrity and Independence in Accredited Continuing Education](#).

### 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 ineligible company.
- **Ineligible Company:** Any company whose primary business is producing, marketing, selling, re-selling, or distributing healthcare products used by or on patients. Ineligible companies are ineligible to be accredited in the ACCME system, and they cannot control the content of accredited CME sessions. (The ACCME does not consider providers of clinical services directly to patients to be ineligible companies.)
- **Commercial Support:** Financial (or “in-kind”) contributions provided by ineligible companies in the form of grants, which funds are used to pay all or part of the costs of a CME activity. (Advertising and exhibitor revenue is NOT considered commercial support.) The requirements for receiving and managing commercial support are explained in the Standards for Integrity and Independence in Accredited Continuing Education.

### Summary of Requirements

1. Ineligible companies cannot control or influence the content and/or presentation of CME activities.
2. For commercial support (grants), the ineligible company that provides the support and The University of Arizona College of Medicine – Tucson (the Accredited Provider) must sign a Letter of Agreement (LOA) *before* the CME activity begins. If the activity is jointly provided, a representative of the Joint Provider must also sign the LOA.
3. The accredited provider must keep a record of the amount or kind of commercial support received and how it was used. The accredited provider must produce that accounting if requested by its accrediting body, ACCME.
4. The College does not need to be a signatory party to advertising/exhibitor LOAs between ineligible companies and Joint Providers. But we must receive copies of these LOAs to confirm compliance with ACCME standards.

5. Ineligible companies must not pay directly for any of the expenses related to the education itself or of the learners to attend the accredited educational activity.
6. Commercial support must not be used to pay for travel, lodging, honoraria, or personal expenses for individual learners or groups of learners in accredited education.
7. The sources of all commercial support must be disclosed to learners.

### **Required Documentation**

1. [Letters of Agreement for Commercial Support](#) between the College and all commercial supporters. These must be submitted to us and signed *well before the activity begins*.
2. [Letters of Agreement for Exhibitors and Advertisers](#).
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 messages cannot be used in the educational content of CME activities.
5. Final, reconciled 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 ineligible companies will have their own Letter of Agreement (LOA). Often the University of Arizona College of Medicine – Tucson cannot accept these LOAs as written. Some ineligible companies 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. Please use our LOAs to document commercial support and exhibitor/advertiser revenue.

#### *Acceptable Uses of Commercial Support*

The commercial supporter must be acknowledged for its financial support, but it cannot play any role in the design or delivery of the content of the CME activity. Acceptable uses of commercial support include the following:

- Compensation for justified expenses 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 meals or social events are not longer, more important, or more costly than the CME activity itself. Commercial support must not be used to pay other learner expenses, such as travel.
- In-kind support (for example, the use of a simulator or medical device) must also be disclosed to learners and should not contain reference to an ineligible company's products or marketing messages. If a specific commercial product has been donated for the learning to take place at the activity, any logos that appear on the product should be obscured from view (covered/taped over).

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 ineligible companies

require that excess funds be returned to them, while 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 ineligible companies. The College also requires signed LOAs 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 CME activities, but the distribution point must be physically separate from the CME materials and the CME registration space, such as in an exhibit hall or a table adjacent to 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” or agenda 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 ineligible companies 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.