



American Society of Regional Anesthesia and Pain Medicine

CME Policy

Disclosure and Conflict of Interest Resolution

Title	Disclosure and Conflict of Interest Resolution
Original Approval	02/2012
Revisions	02/2018, 07/2017, 09/2014, 05/2014, 09/2013

Purpose

A. Independence of CME

In accordance with the Accreditation Council for Continuing Medical Education's Standards for Commercial Support, ASRA will ensure that the following decisions are made free of the control of a commercial interest:

- Identification of educational needs
- Determination of educational objectives
- Selection and presentation of content
- Selection of all persons and organizations controlling content
- Selection of educational methods
- Evaluation of the activity

B. Disclosure and Conflict of Interest Resolution of All Individuals in Control of Content

In accordance with the ACCME's Standards for Commercial Support and related policies, ASRA is committed to ensuring balance, independence, objectivity, and scientific rigor in all of its continuing medical education activities. Accordingly, those in control of the educational content must disclose all relevant financial relationships with any commercial interest that they or their spouse/partner have had within the past 12 months. If an individual refuses to disclose, they are disqualified from contributing to the planning and implementation of the CME activity. Disclosure information is thoroughly evaluated and all conflicts of interest are resolved via several methodologies (including peer review of content, onsite monitoring, etc.). Disclosure of this information is made to participants prior to the educational activity in the program guide, on the event website, and verbally at the beginning of each educational session. Discussion of unlabeled use of a therapeutic product, or the investigational use not yet approved, is also disclosed.

C. Commercial Support Disclosure

If a course is supported, in part, by educational grants and in-kind support from industry, all support is managed in strict accordance with the ACCME's Standards for Commercial Support. Appropriate acknowledgement of all supporting organizations (company name only, no logos, trade names, or product group messages) is made to participants prior to the educational activity in the program guide, on the event website, and with signage during the meeting.

Definitions

A. 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 services directly to patients to be commercial interests. Within the context of this definition and limitation, the following types of organizations do not fall under the above definition of a commercial interest:

- Government organizations
- Non-health care related companies
- Liability insurance providers
- Health insurance providers
- Group medical practices
- For-profit hospitals
- For profit rehabilitation centers
- For-profit nursing homes
- Blood banks
- Diagnostic laboratories
- Publishers
- 501-C Non-profit organizations (the ACCME screens 501c organizations for eligibility. Those that advocate for 'commercial interests' as a 501c organization would be considered a commercial interest)

The ACCME depends upon the accredited CME provider to evaluate and determine whether or not an entity falls under the definition of a commercial interest, and whether or not there are discussions about health care products. ASRA will consult with the ACCME to assist in this process, as necessary.

B. Relevant Relationships

ASRA defines relevant relationships as those with a commercial interest that are:

- In any amount (the ACCME has not set a minimum dollar amount for relationships to be significant)
- Includes uncompensated relationships
- Within the past 12 months
- Includes those of a spouse or partner
- Directly or indirectly related to the content of the CME activity

C. Conflict of Interest

Circumstances create a conflict of interest when an individual has an opportunity to affect CME content related to the products, services, or business lines of a commercial interest with which he/she has a financial relationship.

Procedure

A. Independence of the CME Planning Process

Independence during all phases of the CME process is enforced via strict oversight and checks and balances. If there is question that independence has been jeopardized by the influence of a commercial interest, the matter will be examined and escalated to the CME Committee, as necessary. If it is deemed that influence was indeed exercised, the CME Committee reserves the right to revoke/deny credit for any/all portions of the activity and to take appropriate corrective actions.

B. Disclosure and Conflict of Interest Resolution of All Individuals in Control of Content

In order to promote independence and objectivity in CME, all contributors controlling content are required to follow a 3-step process:

1. Disclosure/Identification of Financial Relationships

All individuals in control of the educational content of the activity must disclose all relevant financial relationships. Information that an individual has no relationships must also be disclosed. Disclosure must be made prior to the CME activity. If an individual refuses to disclose, or fails to do so prior to the activity commencement, they will be disqualified from participating in the CME activity.

Faculty Disclosure Form

Disclosure information is collected and verified via several modalities, including but not limited to: standardized CME Faculty Disclosure Form, e-mail, verbally, etc.

Faculty Attestation

ASRA conflict of interest management process requires an attestation (included in the Faculty Disclosure Form and faculty invitation) on the part of all CME activity collaborators that their contributions will adhere to the following guidelines:

- Submit presentation in advance for peer review.
- All presentations will be monitored onsite for compliance.
- No use of promotional content of a commercial entity (includes product/trade names, photos, logos, company names, etc.).
- Logos appearing on ultrasound images/machines should not be visible in presentations.
- Use of scientific/generic names; trade names should be used only if absolutely necessary for educational clarity; in such cases the name may be included parenthetically once, but no more. If more than one company makes the product, all applicable trade names should be identified.
- No patient Protected Health Information; materials must be de-identified.
- Faculty may not participate as speakers in promotional/marketing events held in the exhibit space and/or during official meeting times.
- Exceptions may be made for participation in an ASRA sanctioned, non-CME promotional session or product theater. However, this must be approved by ASRA and disclosed in the speaker's printed disclosure statement and slides.
- Faculty are requested to notify ASRA of speaker engagements during any other promotional/marketing activity taking place directly before or after the meeting times. Participation in such venues, while permitted, must be approved by ASRA and disclosed in the speaker's printed disclosure statement and slides.
- Faculty should not allow industry representatives to influence CME content in any way. If approached, please refrain from discussing presentation content.
- ASRA faculty are requested not to promote their own CME programs during ASRA-sponsored CME sessions.
- Disclosure slide included and verbal disclosure made, even if nothing to disclose, at beginning of presentation(s).

- The same disclosure information/slide should be included for all presentations; faculty may verbally indicate if not “directly” relevant to the topic being presented.

Faculty Disclosure Grid

Faculty disclosure information for all those controlling content is compiled and comprehensively recorded in the Faculty Disclosure Grid.

2. Resolution of Conflict of Interest

Disclosure and conflict of interest information is reviewed by the activity planning committee, or other qualified reviewer. All identified conflicts of interest must be resolved via several modalities prior to the activity, including:

- Reminder of CME guidelines for independence
- Reminder that learners will be evaluating the presentations for independence
- Shift the focus of the speaker’s presentation from the area with conflict of interest to one without
- Faculty member divests himself/herself of the financial relationship with a commercial interest
- Faculty member is excused from participating in the activity or conflicted portion thereof
- CME credit revoked for presentation(s)
- Peer review of content prior to activity (changes made, if necessary for compliance), review done by:
 - Chair/Co-Chair, CME Committee (primary review, escalated to the below, as necessary)
 - Moderator/Lead of the session
 - Chair, Scientific/Education Planning Committee
- Additional on-site monitoring of activity by the moderator

Employees of a Commercial Interest

Per ACCME policy, employees of commercial interests (or spouses/partners of employees) cannot participate in accredited CME activities if the content of the CME activity relates to the business lines and products of the commercial interest.

Exceptions to this policy include:

- Teaching about the scientific or discovery process itself, reporting research results that would be considered at the level of biology or physics – but not about products.
- Demonstrating the operational aspects or ensuring proper functioning of the use of a device during a hands-on learning activity. Although participating in the activity, the company representative is not influencing CME content and must abide by the ASRA policy on Separation of Promotional from Educational Activities.

Strict guidelines regarding these exceptions will be followed to ensure the independence and compliance with ACCME’s Standards for Commercial Support of accredited CME that involves the employees of ACCME-defined commercial interests.

Process Documentation

The conflict of interest resolution process will be documented using the Conflict of Interest Resolution Form and/or Spreadsheet.

3. Communication/Disclosure to Learners

Communication of disclosure information and conflicts of interest for all contributors to the CME activity must be presented to the learners prior to the activity. Various mediums for disclosure include:

- Activity Website
- Program Guide/Syllabus
- Meeting App
- Verbally from the podium along with inclusion on the first slide of the presentation (template provided to all speakers)

C. Learner Feedback via Evaluation

Questions are included in the overall activity evaluation asking learners to provide feedback on whether the activity was balanced, objective, and free from bias. Responses are reviewed by the CME Committee with corrective actions taken as necessary, including: increased education of returning faculty regarding the requirements, guest faculty not invited back, increased peer review of content, etc.