



American Society of Regional Anesthesia and Pain Medicine

CME Policy

Educational Support Materials

Title	Educational Support Materials
Original Approval	09/2012
Revisions	08/2018, 07/2017, 05/2014, 02/2014, 12/2012

Purpose

Visual presentations, handouts, and other educational support materials are essential components of quality continuing medical education. Providing such materials in advance of the meeting serves several purposes that are integral to the success of the educational event:

- Help the learner choose between the various educational sessions in order to identify those that best meet their needs
- Enable staff to provide attendees with concrete information about educational sessions
- Facilitate moderators' coordination of sessions to avoid duplication of content and support objectives
- Allow peer review of content to ensure independence from commercial bias and valid CME content
- Support the learning process before, during, and after the actual conference.

Procedure

A. Educational Support Materials per Session Type

Educational Support Materials are required for the following (see details below):

- Main Meeting (Refresher Course, Plenary, Parallel, etc.)
- Comprehensive or Special Session Workshops
- PA/NP/Nursing Programs
- Resident/Fellow Program Lectures (except for workshop sessions)
- PBLDs
- Ask-the-Expert Interactive Sessions

Educational Support Materials are not required for the following:

- Hands-On and/or Fluoroscopy Workshops
- Interactive Demonstration Workshops
- Simulation Workshops

Formal Lectures

Presenters giving a formal lecture should submit a PowerPoint presentation. It is the faculty member's responsibility to follow all copyright and fair use guidelines (see section V. below). All PowerPoint presentations must be submitted in advance for peer review and any conflict of interest resolution.

PowerPoint Presentation

- Title slide listing lecture title, your name, institution, and location
- Disclosure slide (mandatory even if nothing to disclose; presenters should use the same disclosure slide for all presentations during the meeting)
- Learning objective(s)
- Reference slide

Problem-Based Learning Discussions (PBLDs)

The standardized ASRA PBLD form is required for all PBLD sessions. The form will be provided electronically only to all attendees online and in the meeting app. Form content includes:

- ~100 word core topic/case study
- Several questions that may be covered in the session
- 4-6 references

B. Conflict of Interest Resolution

If submitting a text submission only as a support material, a presentation may still be requested for peer review and conflict of interest resolution. The presentation will not be released as a course material without faculty approval.

C. Travel and Expense Reimbursement Contingency

Travel and expense reimbursement are contingent upon submission of the required educational support materials by the communicated deadline.

D. Copyright Guidelines

It is not uncommon that copyrighted materials be included in educational materials. Although limited use of limited portions of copyrighted materials of others may be permissible under applicable copyright law, it is the policy of ASRA to exercise the utmost effort to respect the proprietary rights of authors and other creators of medical education works in ASRA-sponsored activities. Therefore, the following guidelines apply to all educational materials:

- The materials will be used for educational purposes only.
- There will be no commercial use or commercial reproduction of the educational materials.
- Access to materials will be restricted to meeting participants and ASRA organizational staff only.
- All intellectual property and copyrights are retained by the author and/or copyright owner and are not transferred to ASRA or any third party.
- All copyrighted material used in educational support materials must be appropriately cited and referenced.
- Proper citation, referencing, copyright permission (including associated costs) are the responsibility of the faculty member.

Fair Use Provision of the Copyright Law

In most cases, fair use provisions of the copyright law allow for limited copying or distribution of published works without the author's permission. There are no explicit, predefined, legal specifications of how much and when one can copy. However, if the following are true, then fair use will likely apply:

- Purpose is criticism, comment, parody, news reporting, teaching, scholarship, or research.
- The original work is mostly fact (not fiction or opinion).
- The original work is rightfully published.
- Presenter including only a small portion of the original work.
- The use of the original work is in accordance with the generally accepted standards and the work is only cited to the extent necessary.
- Presenter is contributing substantial new content.
- Inclusion of the copyrighted work in the educational materials does not negatively affect profits for the copyright owner (use is non-commercial and does not displace potential sales).
- The original work shall be appropriately cited and referenced.

The copyright fair use provision explicitly provides for educational use of copyrighted material in a live teaching or classroom setting. Additionally, fair use allows for inclusion of copyrighted materials in enduring materials (handouts, website, flash drive, syllabi, etc.) when such materials are being used to support the educational process and distribution is restricted to the learner audience.

ASRA Owned Resources

- Any figure, table, or other content published in the official ASRA journal, *Regional Anesthesia and Pain Medicine (RAPM)*, and not otherwise owned by an entity other than ASRA, can be used without copyright permission.
- Similarly, an image from the "ASRA Image Library" can be used without additional permissions as long as it is being used for educational purposes only and follows the other fair use guidelines indicated above.

Permissions to Include Copyrighted Materials

It is the faculty member's responsibility to assess whether fair use applies. If it does not, it is the faculty member's responsibility to acquire and document the necessary permissions. Additionally, non-published or preliminary data (not owned by the presenter) cannot be presented without written permission of the primary investigator who owns that data. Although not required at submission of materials, the faculty member must be able to produce the written permissions upon request.

E. Patient-Protected Health Information

The faculty member is responsible for ensuring that no patient-protected health information is included in the submitted materials without the patient's written permission, or that such materials have been thoroughly de-identified. Although not required at submission of materials, the faculty member must be able to produce the written permissions upon request.

F. Institutional Review Board (IRB) Approval

The faculty member is responsible for ensuring that proper IRB approval has been obtained, as necessary, for any submitted materials. Although not required at submission of materials, the faculty member must be able to produce the written permissions upon request.

G. ASRA Journal (RAPM) Content Reproduction

If ASRA would like to reproduce content from ASRA's official journal (RAPM) and distribute it as an educational support material, formal request for permission is not required. This is true even when seeking to reprint an item in its entirety (e.g., a full article). However, the journal publisher, Wolters Kluwer Health Lippincott Williams & Wilkins, requires that a full acknowledgement be included to document the re-use. Example of acknowledgement format: This article reprinted with permission from *Regional Anesthesia & Pain Medicine*: November/December 2011, Volume 36, Issue 6, p 592-605. © American Society of Regional Anesthesia and Pain Medicine.

H. Format and Accessibility

Website Accessibility

All submitted educational support materials will be provided to learners in PDF format on the ASRA meeting website. Materials will be available online for up to one year after the event. Printed handouts will be used only in limited circumstances when necessary to support the live learning experience. The website with the educational content will include the following wording on the top of the page:

“Educational support materials are available to meeting participants online prior to, during, and after the meeting (up to one year) for educational purposes only. Access to particular content is provided based on meeting registration and is password protected. Distribution is limited and none of the materials should be further distributed or reproduced.”

I. Faculty Agreement

Upon acceptance of the invitation to participate, faculty will complete a form on the “Speaker’s Portal” agreeing to the following:

I agree to provide the educational support materials as outlined in the ASRA Educational Support Material policy. This permission is granted based on ASRA's assurance that these materials will be used for educational purposes only, with no commercial use/reproduction allowed, and that access to the materials will be restricted to meeting participants from this meeting and organizational staff only. Materials will be available on the meeting website for one year. Intellectual property and copyrights are retained by me and/or the copyright owner and are not transferred to ASRA or any third party. By signing this form, I agree to any such reproduction and agree to include proper citation/referencing, obtain any necessary copyright permission(s), assume all costs for obtaining said permissions, remove any unauthorized patient-protected health information, and obtain institutional review board and/or patient permission approval, as necessary.

(Faculty name, date, and electronic signature)

J. Resources

- Copyright Basics <http://www.copyright.gov/circs/circ01.pdf>
- Fair Use Scenarios and Q&A <http://poly.libguides.com/content.php?pid=59733&sid=442218>
- *Regional Anesthesia and Pain Medicine (RAPM)* <http://www.asra.com/publications-journal.php>