

Subject: MEDICAL STAFF – CONTINUING MEDICAL EDUCATION	
Effective Date: 01/01/2023 Supersedes: 01/01/2022	Category: Medical Education Committee - Conflict of Interest Mitigation – “Rare Occasion”
Medical Executive Committee Approval Date: 12/20/2022	Responsibility for review and maintenance of this policy is assigned to: The Medical Education Committee
Policy Applies to: Conflict of Interest Mitigation – “Rare Occasion”	Author and/or Designee: Mina Kang, MD, Chief Medical Officer

POLICY

In keeping with the mission and values of Saint John’s Health Center, it is the policy that in accordance with the ACCME (Accreditation Council for Continuing Medical Education), a CME provider must ensure that the following decisions were made free of the control of a commercial interest. (a) Identification of CME needs; (b) Determination of educational objectives; (c) Selection and presentation of content; (d) Selection of all persons and organizations that will be in a position to control the content of the CME; (e) Selection of educational methods; (f) Evaluation of the activity. A commercial interest cannot take the role of non-accredited partner in a joint provider relationship.

DEFINITIONS

The provider must be able to show that everyone who is in a position to control the content of an education activity has disclosed all relevant financial relationships with any commercial interest to the provider. The ACCME defines “relevant’ financial relationships” as financial relationships in any amount occurring within the past 24 months that create a conflict of interest. An individual who refuses to disclose relevant financial relationships will be disqualified from being a planning committee member, a teacher, or an author of CME, and cannot have control of, or responsibility for, the development, management, presentation or evaluation of the CME activity. **The provider must have implemented a mechanism to identify and resolve all conflicts of interest prior to the education activity being delivered to learners.**

PROCEDURE/GENERAL INSTRUCTIONS

An individual must disclose to learners any relevant financial relationship (s), to include the following information: The name of the individual; The name of the commercial interest(s); The nature of the relationship the person has with each commercial interest. For an individual with no relevant financial relationship (s) the learners must be informed that no relevant financial relationship (s) exist. The source of all support from commercial interests must be disclosed to learners. When a commercial support is “in-kind” the nature of the support must be disclosed to learners. ‘Disclosure’ must never include the use of a corporate logo, trade name or a product-group message of an ACCME-defined commercial interest. A provider must disclose the above information to learners prior to the beginning of the educational activity.

Level of Potential Conflict: Level 1: Nothing to Disclose

CME Committee Deliberation: Staff review for accuracy

Committee Actions: Print disclosure in program

Level of Potential Conflict: Level 2: Relationship to commercial interest not relevant to program content

CME Committee Deliberation: Committee review for accuracy

Committee Actions: Print disclosure in program.

Example: Dr. X receives honorarium for consulting work for Company A. Company A manufactures hernia repair products. Dr. X is invited to speak on surgical management of acid reflux.

Example: Dr. X’s relationship is not relevant.

Level of Potential Conflict: Level 3: Recipient of material support relationship to commercial interest related to the program content

CME Committee Deliberation: Committee review; confirm that qualifications justify propriety and program review for undue influence. (consider peer review of slides or program attendance)

Committee Actions: Letter to faculty informing them of Commercial Support Policy and options for mitigation; Print disclosure in program

Example: Dr. Y receives honorarium for consulting work for Company A. Company A manufactures hernia repair products. Dr. Y is invited to give a talk on complications following hernia repair.

Example: Dr. Y’s presentation will be peer reviewed in advance for the meeting; all clinical care recommendations will be referenced; balance & impartiality will be obvious.

Level of Potential Conflict: Level 4: Advisory Board or Management relationship to commercial interest related to program content.

CME Committee Deliberation: Committee review; confirm that qualifications justify propriety and program review for undue influence. (consider peer review of slides or program attendance)

Committee Actions: Letter to faculty informing them of Commercial Support Policy and options for mitigation and need for peer review. Print disclosure in program and explain management at program

Example 1: Dr. Z sits on the Advisory Board for Company A. Company A manufactures hernia repair products. Dr. Z is invited to give a talk on complications following hernia repair.

Example 2: Dr. Q has ownership interest in Company B. Company B manufactures tennis balls used during physical therapy. Dr. Q is invited to give a talk about hernia repair.

Example 1: Dr. Z's presentation will be peer reviewed in advance of the meeting; all clinical care recommendations will be referenced; balance & impartiality will be obvious.

Example 2: Dr. Q's relationship is not relevant. (This example is actually Level 2)

Level of Potential Conflict: Level 5: Employment by a commercial interest making products directly related to program content.

CME Committee Mitigation: Unless no other option, remove from position of exerting undue influence.

Committee Actions: In rare instance where allowed, letter to faculty inform them of Commercial Support Policy and options for conflict management, and need for peer review. Print disclosure in program and explain management at program with slides at beginning of program.

Example 1: Dr. R is employed by Company A. Company A manufactures hernia repair products. Dr. R is invited to give a talk on complications following hernia repair.

Example 2: Dr. S is employed by Company A. Company A manufactures hernia repair products. Dr. S is invited to give a talk on earthquake preparedness in the OR.

Example 1: Dr. R is removed from teaching position or control of content.

Example 2: Dr. S's presentation will be peer reviewed in advance of the meeting; Medical Education Committee takes full responsibility for the content; absolutely no clinical care recommendations are presented.

REFERENCE(S)/RELATED POLICIES

ACCME / CMA Accreditation Requirements, Standards for Integrity and Independence in Accredited Continuing Education 01/2021
AMA Physician's Recognition Award and Credit System 2017 revision

COLLABORATION

This policy was developed in collaboration with the following involved Departments -
Medical Education Committee