



Mitigation of Conflicts of Interest with CME Educational Content Policy and Procedures

POLICY:

As an accredited CME provider, ASOPRS is responsible for demonstrating that our CME content/educational programs are planned independent of commercial bias and marketing. The following areas must be free from the control and/or influence of ineligible companies *

- (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 and/or influence the content of the CME;
- (e) Selection of educational methods;
- (f) Evaluation of the activity.

*The ACCME defines ineligible companies as those whose primary business is producing, marketing, selling, re-selling, or distributing healthcare products used by or on patients. Examples of such organizations include:

- Advertising, marketing, or communication firms whose clients are ineligible companies
- Bio-medical startups that have begun a governmental regulatory approval process
- Compounding pharmacies that manufacture proprietary compounds
- Device manufacturers or distributors
- Diagnostic labs that sell proprietary products
- Growers, distributors, manufacturers or sellers of medical foods and dietary supplements
- Manufacturers of health-related wearable products
- Pharmaceutical companies or distributors
- Pharmacy benefit managers
- Reagent manufacturers or sellers

ASOPRS educational activities are planned by a variety of individuals, and some of those individuals may have financial relationships with ineligible companies. Controllers/influencers may include: Program

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Committee; CME Subcommittee; Executive Committee; Other Committee Members; Abstract Reviewers; Abstract Authors (podium, poster, video); Invited faculty; Moderators, and anyone else who takes the podium/is on stage.

ASOPRS will conduct a process through which financial disclosures from anyone in a position to control and/or influence educational content are evaluated for conflict of interest, and through which the conflict of interest—if determined to exist—is mitigated.

PROCEDURE:

Step 1: Collection of Financial Disclosures

ASOPRS financial disclosure form is required from anyone in the position to control and/or influence CME content. Financial relationships in the last 12 months (will increase to 24 months beginning January 2022) with an ineligible company must be reported. Participation in the CME program is not allowed if a disclosure is not received. If anyone in the position to control and/or influence content is later revealed to not have disclosed a financial relationship with an ineligible company, they may be barred from presenting at or planning the content of future meetings for two or more years.

Disclosures are collected and reviewed at the appropriate time in the planning cycle (before planning, speaking, etc. takes place).

The **Program Committee and CME Subcommittee members** are required to submit financial disclosures before official planning takes place for the meetings.

Other Committee members are required to submit disclosures before their programming development begins or prior to their contributions being considered (e.g. Awards Committee, YASOPRS Committee).

Abstract Reviewers are required to submit disclosures prior to the assignment of abstracts for review.

Abstract Authors (podium, poster, video) are required to submit disclosures at the time of submitting abstracts.

Invited Faculty are required to submit disclosures when their participation is confirmed.

Moderators are required to submit disclosures prior to their duties being confirmed.

Step 2: Review/Identification of Relevant Financial Disclosures

Program Committee and CME Subcommittee members' disclosures are collectively reviewed by both committees and relevant disclosures are identified and mitigated at the beginning of the first planning meeting. It is ASOPRS policy that **members of the CME Subcommittee may not have financial relationships with ineligible companies during their term and 12 months prior.**

- Committee meeting agendas list all disclosures of the members, and the committee is reminded of mitigation measures (e.g. recusal) at the start of the meeting.
- Committee meeting participants are required to update their financial disclosures throughout the year if there are any changes.

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- If a CME Subcommittee member develops a financial relationship with an ineligible company, s/he will be excused from the committee.

It is ASOPRS policy to appoint Program Chairs with no current or past (last 12 months before taking office) financial relationships with ineligible companies, who agree to remain free of financial relationships with ineligible companies for their term of 4 years.

Other Committees' relevant disclosures are identified and mitigated by the Program Chairs and CME Subcommittee before considering the influence or contribution.

Abstract Reviewer disclosures are reviewed by the Program Chairs and CME Subcommittee.

Abstract Authors (podium, poster, video), Invited Faculty and Moderators

The CME Subcommittee reviews the financial disclosures of each author/faculty/moderator in context of the abstract/outline/session assigned.

Moderator disclosures are reviewed by the Program Chairs and CME Subcommittee.

Relevant/Non-Relevant Disclosures

ASOPRS requests disclosure of all financial disclosures, regardless of whether the participant perceives the relationship to be relevant to the CME content. Therefore, non-relevant financial relationships (i.e. the products or services of the ineligible company are *not* related to the CME content they are in the position to control and/or influence), may be disclosed. The CME Subcommittee determines if the financial relationship is relevant.

Financial relationships are relevant if the educational content an individual can control and/or influence is related to the business lines or products of the ineligible company.

If the financial relationship is *not* related to the content within the control and/or influence of the individual disclosing, it is not considered relevant, and no conflict of interest exists.

Financial relationships may include (but are not limited to):

- Consultant/Advisor
- Employee
- Executive role
- Independent Contractor (including contracted research)
- Ownership interests
- Researcher*
- Royalties or patent beneficiary
- Speakers Bureau
- Stocks (individual and stock options; does not include diversified mutual funds)

*Research funding from ineligible companies should be disclosed by the principal or named investigator even if that individual's institution receives the research grant and manages the funds.

The participation of employees or owners of ACCME-defined ineligible companies as presenters, faculty, planners or in other roles where they are in a position to control and/or influence the content of accredited

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CME is prohibited by the ACCME, except in these specific situations:

- a. When the content of the activity is not related to the business lines or products of their employer/company.
- b. When the content of the accredited activity is limited to basic science research, such as pre-clinical research and drug discovery, or the methodologies of research, and they do not make care recommendations.
- c. When they are participating as technicians to teach the safe and proper use of medical devices, and do not recommend whether or when a device is used.

If the financial relationship of a person in a position to control and/or influence CME content **is determined to be relevant** (i.e. the products and services of the ineligible company **are** related to the CME content they control and/or influence), the process moves to mitigation.

Step 3: Mitigation of Relevant Conflicts of Interest

The CME Subcommittee is responsible for mitigating conflicts of interests by implementing one of the mechanisms below.

Mitigation for Abstract Authors, Invited Faculty

A1. Abstract Authors and Invited Faculty with relevant financial relationships will be contacted by the CME Subcommittee to discuss potential bias, balance, evidence-based content or other indicators of integrity and absence of bias. Discussion points include:

- Prove the integrity of your presentation/abstract.
- Prove that clinical recommendations are evidence-based and free of commercial bias.
- In what ways is your presentation/abstract/participation balanced?

The author/faculty must demonstrate understanding and compliance through written response. The communication is reviewed by the CME Subcommittee to determine if the conflict of interest has been mitigated, or if further action is needed.

If the CME Subcommittee feels the efforts above are not effective in mitigating the conflict of interest, the following may be implemented:

A2. The author/faculty is removed or recused from participating in the parts of the educational activity that relate to the commercial products or services.

A3. The author/faculty revises his/her role in the educational activity so that it is no longer a conflict.

A4. CME hours are not awarded for that portion or all of the education activity

A5. Other (details documented in the COI spreadsheet).

Mitigation for Abstract Reviewers

B1. Abstract Reviewers may not participate in reviewing any abstracts related to their relevant financial disclosure.

If the CME Subcommittee feels the efforts above are not effective in mitigating the conflict of interest and maintaining an unbiased process, the following may be implemented:

- B2.** The person with the conflict of interest doesn't participate as an abstract reviewer
- B3.** CME hours are not awarded for that portion of the education activity
- B4.** Other (documented in the COI spreadsheet)

Mitigation for Moderators

- C1. Moderators may not moderate any session related to their relevant financial disclosure.**

If the CME Subcommittee feels the efforts above are not effective in mitigating the conflict of interest, the following may be implemented:

- C2.** The person with the conflict of interest doesn't participate as a moderator
- C3.** CME hours are not awarded for that portion of the education activity
- C4.** Other (documented in the COI spreadsheet)

Mitigation for Program Committee, Other Committees

- D1.** If a financial relationship is deemed relevant from any committee member with control and/or influence of content, the member will be excluded—from participating in any discussions, votes, decisions or actions related to their financial disclosure.

Beginning in 2022, appointed Program Chairs shall not have any financial relationships with ineligible companies 12 months prior to service, and for the duration of their 4 year term.

Members of the CME Subcommittee may not have financial relationships with ineligible companies during their term and 12 months prior.

Programmatic content suggestions from any other committee members who have a relevant financial relationship related to that content will not be considered.

Step 4: CME Subcommittee Review of Mitigation

The CME Subcommittee as a whole will review and approve all mitigations completed by committee members.

Step 5: Identification of Trade Name Use in Presentations

According to the ACCME, 'Educational materials that are part of accredited education (such as slides, abstracts, handouts, evaluation mechanisms, or disclosure information) must not contain any marketing produced by or for an ineligible company, including corporate or product logos, trade names, or product group messages.'

The CME Subcommittee will review presentation information provided by speakers to identify any logos, trade names, or product group messages. Logos and product group messages will be removed and when necessary, trade names will be replaced with generic names.

Step 6: Disclosure to Learners

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The Conflict of Interest Mitigation Policy and Procedure is published in the meeting Syllabus, which is provided to learners prior to the meeting, with the list of relevant financial disclosures of all individuals with the ability to control and/or influence content. Learners will be informed that conflicts of interest were mitigated before the meeting.

The financial disclosures found not relevant will also be listed.

Step 7: Preventing and Identifying Commercial Bias from the Podium

The CME Subcommittee and/or Moderators will review the slide presentations submitted by speakers with relevant disclosures prior to presentation. If it is determined the content does not follow policy, the slide(s) or material will be removed, and the CME Subcommittee may consider removal of the speaker from the program.

The live presentations are evaluated for bias by Moderators and CME Subcommittee members. If bias is believed more likely than not to be present, a statement will be made by the Moderator or a member of the CME Subcommittee to bring the bias to the attention of the learners. The incident will be reviewed after the meeting by the CME Subcommittee, who will decide if the bias is substantiated. If so, the speaker will be excluded from influencing and/or controlling the content of future meetings for two or more years.

The results of the meeting evaluation (attendee feedback) are evaluated for claims of bias from the podium. If such claims are made, the CME Subcommittee will review the feedback and decide if the bias is substantiated. If so, the speaker will be excluded from influencing and/or controlling the content of future meetings for two or more years.