

Managing Ancillary Activities

Maine Medical Education Trust

April 6, 2023

Agenda

- 01. Introduction to Managing Ancillary Activities**
- 02. Marketing Materials**
- 03. Managing Exhibitors**
- 04. Presentations Not for CME**
- 05. Additional Activities: Meals and Business Meetings**

Ancillary

“Providing necessary support to the primary activities of operation of an organization, institution, industry, or system.”

- Exhibitors
- Presentations Not for CME
- Sponsored Meals
- Business Meetings



Standards for Integrity and Independence: Standard 5

Standard 5: Manage Ancillary Activities Offered in Conjunction with Accredited Continuing Education

ONLY APPLIES WHEN

- There is marketing by ineligible companies
- Nonaccredited education is associated with the accredited education

Standards for Integrity and Independence: Standard 5

DOES NOT HAVE TO BE MANAGED IN KEEPING WITH STANDARD 5

- Welcomes and Closings
- Entertainment
- Planned Activities
- Marketing by Eligible Companies (e.g., hospitals, healthcare delivery systems, health law firms, insurance companies)

Ineligible Companies

Companies that are ineligible to be accredited in the ACCME System (ineligible companies; previously commercial interests) are those whose primary business is producing, marketing, selling, re-selling, or distributing healthcare products used by or on patients.

Types of Organizations That are Ineligible:

- | | | |
|--|--|--|
| <ul style="list-style-type: none">• Advertising, marketing, or communication firms whose clients are ineligible companies• Bio-medical startups that have begun a governmental regulatory approval process• Reagent manufacturers or sellers | <ul style="list-style-type: none">• Device manufacturers or distributors• Diagnostic labs that sell proprietary products• Growers, distributors, manufacturers or sellers of medical foods and dietary supplements | <ul style="list-style-type: none">• Compounding pharmacies that manufacture proprietary compounds• Manufacturers of health-related wearable products• Pharmaceutical companies or distributors• Pharmacy benefit managers |
|--|--|--|

We Are Responsible For Ensuring Education is Separate From:

Marketing by Ineligible Companies

- Advertising
- Sales
- Exhibits
- Promotion



Nonaccredited Education

- Presenters with unmitigable relationships
- Presentations not accredited for CME

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Marketing by Ineligible Companies Must Not

1 Influence any decisions related to

- planning
- delivery
- evaluation

2 Interfere with the continuation of the education

3 Be a condition of financial or in-kind support for the education

Ineligible Company: A company whose primary business is producing marketing, selling, or re-selling healthcare products used by or on patients.

Marketing Materials

While engaged with the accredited education:

- Learners must not be presented with marketing.
- Learners must not have to click through, watch, listen to, or be presented with product promotion or product-specific advertisement.

Applies to print, online, and digital continuing education activities.

Educational Materials and Marketing

Educational Materials that are a part of accredited education include, but are not limited to:

- Slides
- Abstracts
- Handouts
- Evaluation Mechanisms
- Disclosure Information

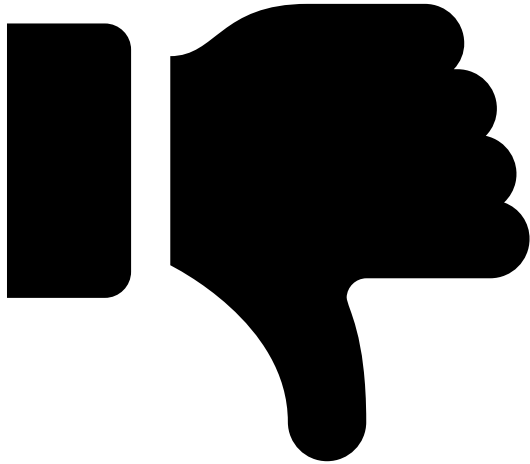
Educational Materials must not contain any marketing produced by or for an ineligible company, including:

- Corporate Logos
- Product Logos
- Trade Names
- Product Group Messages

Materials that DO NOT include educational content, MAY include marketing by or for an ineligible company, including

- Schedules
- Logistical Information

Is this Educational Handout Okay to Use?



Product Advertisements are not allowed



Viruses or Bacteria What's got you sick?

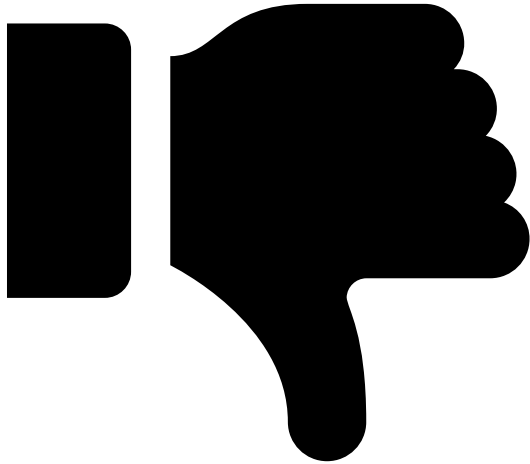
Antibiotics are often prescribed when they are not needed for respiratory infections. Antibiotics are only needed for treating certain infections caused by bacteria. Viral illnesses cannot be treated with antibiotics. When an antibiotic is not prescribed, ask your healthcare professional for tips on how to relieve symptoms and feel better.

Common Respiratory Infections	Common Cause			Are Antibiotics Needed?
	Virus	Virus or Bacteria	Bacteria	
Common cold/runny nose	✓			No
Sore throat (except strep)	✓			No
COVID-19	✓			No
Flu	✓			No
Bronchitis/chest cold (in otherwise healthy children and adults)*		✓		No*
Middle ear infection		✓		Maybe
Sinus infection		✓		Maybe
Strep throat			✓	Yes
Whooping cough			✓	Yes

* Studies show that in otherwise healthy children and adults, antibiotics for bronchitis won't help patients feel better.



Is this Educational Handout Okay to Use?



Ineligible Company Logos are not allowed

Viruses or Bacteria What's got you sick?

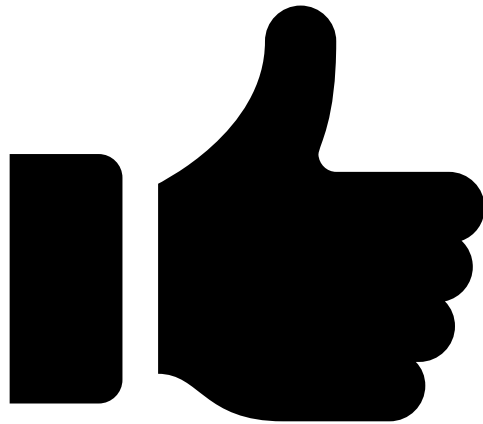
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Is this Educational Handout Okay to Use?



The CDC is an eligible company – logos are okay for eligible companies

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To learn more about antibiotic prescribing and use, visit www.cdc.gov/antibiotic-u



CS328461-A

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Exhibiting by Ineligible Companies

Must Not:

Influence any decisions related to

- planning
- delivery
- evaluation

Interfere with the presentation of the education

Be a condition of financial or in-kind support for the education.

Ineligible Company: A company whose primary business is producing marketing, selling, or re-selling healthcare products used by or on patients.

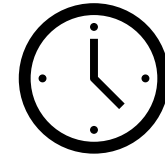
Managing Exhibitors

Physical Separation



- In a different room from the CME presentations
- Virtual: Access a different link/Zoom window

Temporal Separation



- Same physical space as the education but cannot occur within
 - 30 minutes after the previous CME presentation
 - 30 minutes before the next CME presentation
- Virtual: Same Zoom window, with 30-minute break before and after Exhibitor time

Can You Make a Thank You Poster?



Thank you to our supporters!



Is This Thank You Okay to Use in a Slide Show?

30th Annual Primary Health Care of Women Conference

Presented by the Department of Family Medicine

Thank you to our exhibitors!

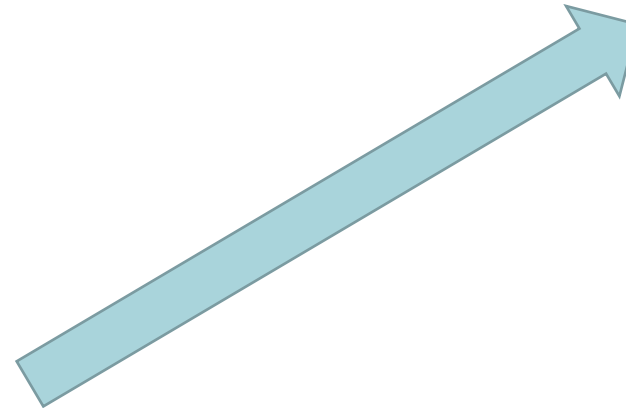
Adoption Associates

ATI Physical Therapy

Reproductive Health Access Project



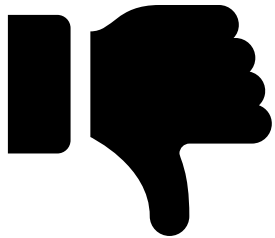
Only company names are listed; it can be used anywhere



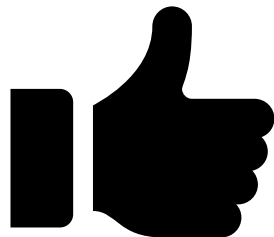
Is This Thank You Okay to Use?

Depends on where it is...

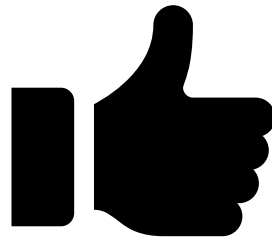
At the beginning or end of a CME slideshow



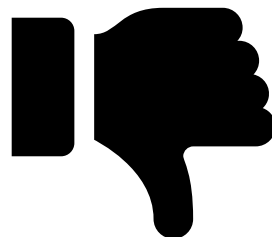
On the schedule



On a thank you poster



On the evaluation



Logos or messages of eligible companies may be used anywhere

Alexion is an ineligible pharmaceutical company and this is their logo

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Presentations That Cannot Be for CME

- Presenters that have unmitigable relationships (e.g., employees and owners of relevant ineligible companies)
- Presenters who did not turn in a faculty disclosure form
- Presentations by Exhibitors/Ineligible Companies
- Presentations that do not meet Content Validity Standards

Presentations That Cannot Be for CME

Must have a Physical or Temporal Separation from accredited CME activities

-  Separate Room/Link
-  No CME presentations within 30 minutes before or after the presentation

Must be identified as “not for CME”

- Clearly Labeled
- Clearly Communicated
- Verifiable Evidence of Communication

Do not require disclosure information because they are not for CME

Intracranial Endoscopy

Friday, July 29

7:00a Continental Breakfast

8:00a General Endoscopy Principles
- *Phineas Flynn, MD*

9:00a Variations in Endoscopic Instrumentation
- *Isabella Garcia-Shapiro, MD*

10:00a Break

10:15a Endoscopic Surgery
- *Heinz Doofenshmirtz, MD*

11:15a ETV: Application and Results
- *Ferb Fletcher, DO*

12:15p Lunch

1:00p Unusual ETV Events
- *Buford Van Stomm, MD*

2:00p Complications in ETV
- *Jeremy Johnson, DO*

Example Agenda

Suppose that Dr. Heinz Doofenshmirtz returns a faculty disclosure that states he is the owner of an ineligible company, Doofenshmirtz Evil, Inc. that creates microscopic cameras to be used during endoscopic cranial surgery.

You determine this to be a relevant financial relationship.

What could you do?

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Options

- Exclude Dr. Doofenschmirtz from presenting.

OR

- Offer his presentation without CME.

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What Must Be Done?

Manage the Presentation in keeping with Standard 5:

- Clearly indicate that the presentation is not for CME
- Separate the ancillary presentation from the CME presentations

What are some possible solutions?

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What Must Be Done?

Manage the Presentation in keeping with Standard 5:

- Clearly indicate that the presentation is not for CME
- Separate the presentation from the other CME presentations

What are some possible solutions?

- Physical Separation



Intracranial Endoscopy

Friday, July 29

7:00a Continental Breakfast

8:00a Endoscopic Surgery*

- *Heinz Doofenshmirtz, MD*

**Not for CME Credits*

9:00a Break

9:30a General Endoscopy Principles

- *Phineas Flynn, MD*

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What Must Be Done?

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- Separate the presentation from the other CME presentations

What are some possible solutions?

- Time separation



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Meals and CME

Yes, You Can!

- Have a CME presentation during a meal

Yes, You Can!

- Have a meal sponsored by an ineligible company

Yes, You Can!

- Have a CME presentation during a meal that was sponsored by an ineligible company
 - As long as there is no advertising or marketing during the meal/presentation
 - You may have a thank you to the sponsor



Business Meetings

- Do NOT fall under the regulations of Standard 5 because they do not include marketing or nonaccredited education. (No physical or temporal separation required)
- You may offer CME for a business meeting ONLY IF the meeting contains educational value.
- Then, ONLY that portion of the meeting with educational value counts towards CME credit hours.

CME consists of educational activities which serve to maintain, develop or increase the knowledge, skills, and professional performance and relationships that a physician uses to provide services for patients, the public, or the profession.

Summary

Make sure there is no marketing in education

Exhibiting and marketing should not interfere with accredited education

Separate exhibiting and nonaccredited education from accredited education

Either physically or temporally

Be careful where you put ineligible company logos

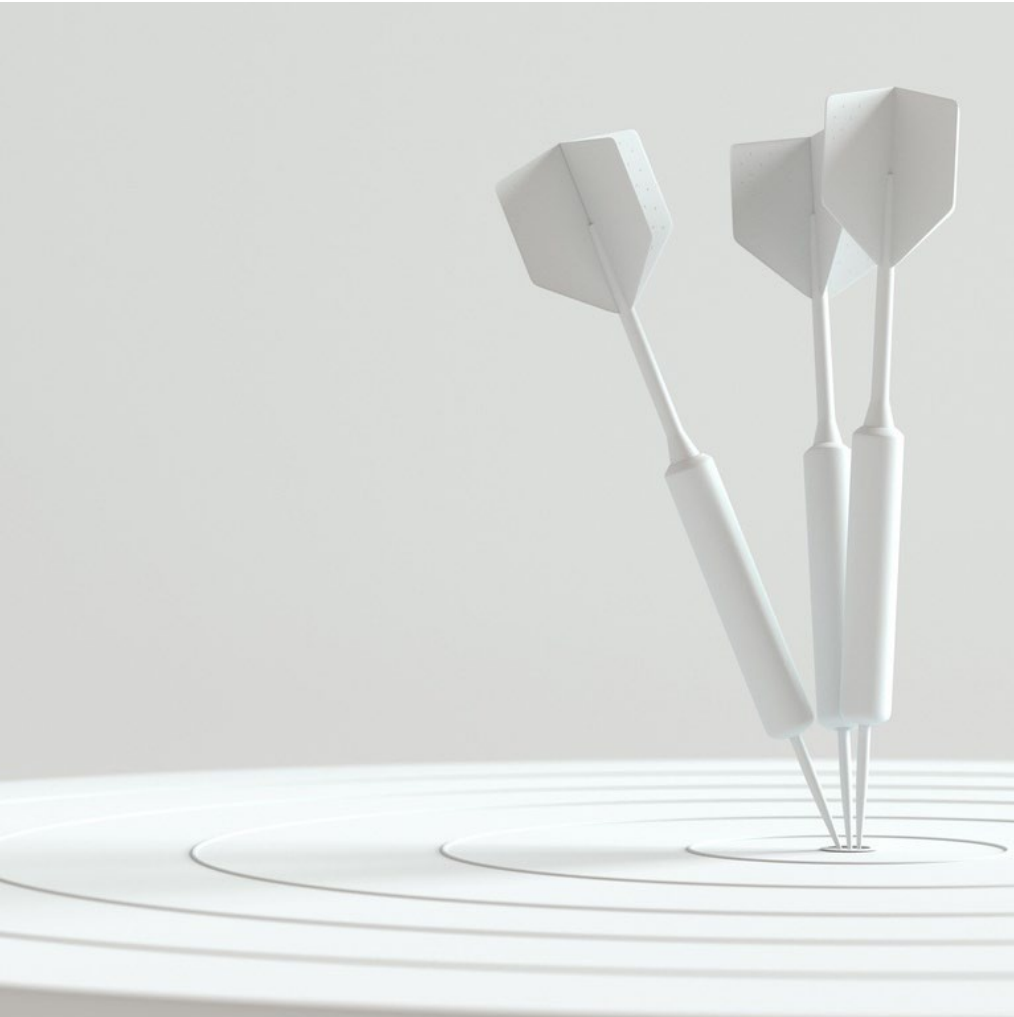
Make sure they do not appear on educational materials

Clearly indicate nonaccredited education

Mark as “Not for CME Credits”

Remember that the same rules apply for virtual activities

Virtual activities must include physical or temporal separation and clearly communicate that activities are not for CME when applicable.



Thank You!

Next Session

**Disclosing Relevant Financial Relationships
to Learners**

Thursday, April 27th at 9 am

Via Zoom

Elizabeth Ciccarelli

eciccarelli@mainemed.com