RSS Commercial Support & Exhibit/Promotional Guidelines

Please review the following guidelines, which ensure that our RSS activities are fully compliant with ACCME’s Standards for Commercial Support and free from commercial influence.

Commercial Support Definition
Commercial Support is financial or in-kind contributions given by an ACCME-defined commercial interest. The ACCME defines a commercial interest as any entity producing, marketing, re-selling, or distributing health care goods or services consumed by, or used on, patients such, as a pharmaceutical or device company. The ACCME does not consider providers of clinical service directly to patients to be commercial interests - unless the provider of clinical service is owned, or controlled by, an ACCME-defined commercial interest. The ACCME does not consider providers of clinical service directly to patients to be commercial interests - unless the provider of clinical service is owned, or controlled by, an ACCME-defined commercial interest.

TUSM OCE follows the ACCME’s Standards for Commercial Support (SCS). When a commercial interest provides financial or in-kind support for an educational activity they are referred to as a commercial supporter of the activity.

The two types of commercial support are defined below:

- **Financial Support**: A monetary donation in the form of an educational grant, used to pay all or part of the costs of a CE activity
- **“In-kind” Support**: Non-monetary resource(s) (the loan or donation of equipment, supplies, and/or services) provided by a commercial interest in support of the educational activity

For further information on ACCME’s Standards for Commercial Support, please visit this link to their website.

Commercial Support Requests
All commercial support (financial or in-kind) associated with an RSS educational activity must be granted with the full knowledge and approval of TUSM OCE. TUSM OCE must submit all educational grant requests to potential funders. If your department wants to submit a grant request directly, you may do so as a session not offered for CME (TUSM OCE will not offer credit(s) for those sessions).

All approved grant funds will be made payable to TUSM OCE. TUSM OCE will disburse the funds accordingly. Please allow 7-10 business days to review your grant materials and submit your grant. Please keep this in mind if funder has a submission deadline.

A $250 grant management fee and a 15% Overhead & Maintenance fee will apply for each grant approved. These fees will be incorporated into the grant budget and the requested amount in the grant application. If the grant is denied, these fees will not apply. Once the funds are received, TUSM OCE will notify you.

Appropriate Use of Commercial Support Funds
Commercial support funds should not be used to fund hospitality, entertainment, or recreation. A CE activity cannot be held in a lavish or extravagant venue, or at a location which will distract from the educational focus and agenda of the event. Commercial support should be used to pay for modest meals and social events at CE activities and should not compete with educational events. TUSM OCE will review the series/session budget which must reflect all income received and expenses paid for funded sessions.

In-Kind Support
For in-kind support, particularly durable equipment, TUSM OCE and joint provider/educational partner will confirm disbursement of the equipment directly with funder and coordinate details/instructions for delivery and pick-up to/from the educational activity venue. The equipment must be delivered prior to the start of the activity; company representatives cannot be present/involved in the activity. TUSM OCE will confirm that the educational activity is planned by course director(s), planners,
and TUSM OCE without any control from the commercial supporter. The commercial supporter cannot have any say in what procedures will be taught, and either an OCE staff member is present to oversee and participate in the actual instruction or we designate an appropriate faculty member. We require written documentation post-activity to verify that equipment demonstration was about the safe and proper use of the equipment and did not include clinical recommendations about the medical devices/equipment from the manufacturer(s). Other types of in-kind support (Facilities/Space, Disposable supplies (Non-biological), Animal parts or tissue, Human parts of tissue, or other), follow the same policy.

**Acknowledgement of Commercial Support**
All commercial support (financial and/or in-kind) must be acknowledged in session materials. Please note that company logos are strictly prohibited when acknowledging an ACCME defined commercial interest.

Below is sample language to be used:

*If the activity received commercial support in the form of a monetary grant, include the following statement:*

*This activity is supported in part by an educational grant from the following company:*

<insert Company Name>

*If the activity received in-kind commercial support, include the following statement:*

*This activity is supported in part by an in-kind donation from the following company:*

<insert Company Name & (Nature of in-kind support provided)>

**Control of Contents & Selection of Faculty**

ACCME-defined commercial interests shall not make support contingent on the acceptance of advice about speakers or educational matters, such as content, learner objectives/outcomes, or educational methods. TUSM OCE is solely responsible for the control of content; identification of educational objectives; evaluation of the activity, and selection of faculty, editors, presenters, or authors. Both TUSM OCE and its joint providers/educational partners shall ensure that the content, quality and scientific integrity of the activity is objective and that current information is based upon widely accepted scientific methods and publicly available data.

**Separation of Content and Commercial Influence/Bias**
The content or format of a CME activity or its related materials must promote improvements or quality in healthcare and not a specific proprietary business interest of a commercial interest. Presentations must give a balanced view of therapeutic options. Use of generic names will contribute to this impartiality. If the CE educational material or content includes trade names, where available trade names from several companies should be used, not just trade names from a single company.

**Sunshine Act/Open Payments Reporting**
The Sunshine Act/Open Payments Reporting requirements have become standard when receiving commercial support for an educational activity.

- **Description** - Open Payments Reporting is a national disclosure program created by the Affordable Care Act that increases public awareness of financial relationships between the health care industry (e.g., medical device manufacturers and pharmaceutical companies) and physicians or teaching hospitals. As of August 1, 2013, pharmaceutical and device manufacturers are required to report payments or transfers of value made to physicians or teaching hospitals to the Centers for Medicare and Medicaid Services (CMS). CMS collects this data annually, and makes it publicly available and searchable on their website. Payments and transfer of value include faculty travel expenses, meals, honoraria, and participant meal expenses. For more information about the Sunshine Act/Open Payments, please visit [https://www.cms.gov/openpayments/](https://www.cms.gov/openpayments/).

- **Importance** - Collaboration among physicians, teaching hospitals, and health care manufacturing companies contributes to the design and delivery of many life-saving drugs and devices. However, sometimes these payments can also introduce conflicts of interest. Open Payments Reporting doesn’t identify which financial relationships are beneficial or which may cause conflicts of interest. Instead, the program is designed to increase public awareness about these relationships and promote transparency in the health care industry. The (CMS) fulfills the law’s mandate via the Open Payments Reporting Program. CMS makes this information available to the public to allow interested stakeholders to analyze, monitor, and use the data.

- **Process** - The commercial supporter will notify you that reporting of payments and transfers of value is required in their grant approval emails and/or LOA. The report is usually submitted during the grant reconciliation (post-activity). As a courtesy to your faculty, you should notify them in advance so that they have the option not to participate if they do not wish to be reported as receiving such payments. In addition, if you are offering any meals to participants that will be covered by the grant funds, you will also need to notify your participants of the reporting requirements in advance.
The following information will need to be collected in advance and submitted to the commercial supporter if requested: speaker/participants’ name, address, NPI number, license number, transfer of value cost(s), and/or any other specific data requested by the commercial supporter.

If the commercial support funds were not used for any payments and/or transfer of value, we would let the funder know. However, this would be only after other funds were confirmed to cover those expenses (such as registration fees). This must be very clear in the series/session budget, which will be submitted to the commercial supporter with the grant reconciliation.

**Session Documentation**
Refer to the Session Documentation Checklist for RSS with Commercial Support for required documentation.

**Post-Series**
TUSM OCE will submit grant reconciliation(s) to each funder (if applicable) and will follow-up with your department if further information is required. Please note that most funders require that any unused funds be returned. If the funder requires reporting of payments and transfers of value under the Sunshine Act/Open Payments Reporting requirements (see note above), we will ask you to upload the participant list with the required data (as noted above) to the “Commercial Support” folder in Box.

---

### RSS Exhibit/Promotional Guidelines

Commercial exhibits and advertisements are promotional activities and not continuing education. Therefore, funds paid by commercial interests for promotional activities are not considered to be commercial support. Requests for exhibits and exhibit payments must be separate from commercial support/educational grants approved/received. Commercial interests may not exhibit, promote or sell products or services during the introduction of an educational activity or any time while the educational activity takes place, regardless of the format of the educational activity. ACCME insists on the separation of education from all promotional activities, materials, and messages. Please review the ACCME guidelines noted below.

#### Exhibit Displays/Table Location
Exhibitors may not share the same space as the accredited activity. A separation of promotion from education must be maintained, which means that promotion cannot happen within the same room as the educational space. There must be a separate room designated for exhibitors only. Exhibitors can only display and promote their products in this designated area.

Exhibit tables must be set up in another room, separate from the conference room, even if the activity is not in session. Any/all promotion or discussion of products and/or services must take place in the designated exhibit space (at the booth or in the designated exhibit hall); it may never take place formally or informally in the actual educational space. Examples of educational space include lecture halls, break-out rooms, and laboratories.

#### Exhibitor Agreement
Every commercial interest must complete and submit TUSM OCE’s Exhibitor Agreement prior to the educational activity.

#### Acknowledgement of Exhibitors
Commercial interests who will be participating as exhibitors must be acknowledged in session materials. However, these documents, in print or electronic form, are an integral part of the education and as such cannot have any advertising, trade name, or a product-group message of an ACCME-defined commercial interest associated with them. Please note that company logos are strictly prohibited when acknowledging exhibitors who are considered an ACCME defined commercial interest.

#### Promotional Opportunities
Commercial interests can be offered other promotional opportunities to market their company, products and services in non-CE materials/non-educational spaces. If a prospectus will be developed it must be reviewed and approved by TUSM OCE prior to distribution to ensure compliance with the requirements.

NOTE: Advertising or promotional opportunities must not be part of the educational activity and must not be paid for by commercial support. Educational materials such as slides, abstracts, and handouts, cannot contain any advertising, trade name, or a product-group message of a commercial interest. If this is offered to a commercial interest, it must be offered as a separate handout from the educational materials.

NOTE: TUSM OCE requires review of all handouts to ensure compliance with the requirements.