



## Financial Disclosure

### Purpose

The Medical Society of The State of New York (MSSNY) is committed to planning, developing and implementing continuing medical education (CME) activities of the highest quality and scientific rigor. The desired outcome is the delivery of CME activities that are free of the appearance of or actual conflicts of interest (COI) and the introduction or demonstration of bias in favor or against a commercial product/service/device in return for known or unknown personal and professional gain.

### Policy

MSSNY CME activities will adhere to the 2004 Updated Accreditation Council for Continuing Medical Education (ACCME) Standards for Commercial Support<sup>SM</sup>

In CME there are two components to conflict of interest – a current financial relationship with a commercial interest **and** the opportunity to affect content relevant to products or services of that commercial interest. So, as long as the relationship is current, managing or resolving, the COI must involve the content of the CME.

A conflict of interest occurs when there is incongruity between a person's private interests and their professional obligations as a planner or presenter. If that person is in a position to influence or control CME content and an objective attendee of the educational activity might reasonably question whether professional actions or decisions made by the person in a position to influence or control CME content are determined by factors like personal gain, financial or otherwise, the conflict must be addressed.

A conflict of interest is situational and does not reflect on the character or actions of the individual.

The CME application requires complete documentation, including completion of all standard disclosure statements from the early stages of the educational process, indicating no COI or COIs that have been resolved

The provider needs to document the implementation of the safeguards they have chosen so that MSSNY can verify the provider has a mechanism to identify and resolve COI.

### Resolution of Conflict of Interest

- Persons in a position to influence or control CME content (i.e., activity coordinator, activity planning committee members, faculty, authors, etc) are required to complete a *Relevant Financial Relationship Disclosure Form* to determine potential or actual conflicts of interests
- Failure to complete a disclosure statement will disqualify a faculty member from participating in the CME activity
- Actions taken to resolve COIs are to be documented on the standard disclosure statement and may include actions such as (but not limited to):
  - Having an unbiased entity, like the CME Committee peer-review the content, the CV and disclosure form.
  - Ask the person with the conflict of interest to limit their presentation to areas that are irrelevant to the financial relationship
  - Choose another party who does not have a relationship to the commercial interests related to the content to resolve the conflict of interest.



- If there is a conflict of interest related to content, change the focus of the activity so that the content is not about products or services of the commercial interest which are the basis of the conflict.
- If an individual has been the principal investigator on a project funded by a commercial interest, choose to limit the individual's presentation to the data and results of the research. Someone else could be assigned to address the broader implications and recommendations for clinical care.
- Limit or specify the sources for recommendations the teacher or author can use. Rather than having a person with a conflict present personal recommendations or select the evidence to be presented, limit the person to reporting recommendations based on formal structured reviews of the literature with the inclusion and exclusion criteria stated ('Evidence-based education').
- If after resolving the conflict, a monitor concludes that bias was still present, exclude this presenter from taking part in future CME activities for a set amount of time.

## Disclosure and Resolution of Conflicts of Interest

It is the accredited CME provider's responsibility to resolve any potential conflicts of interest before the activity occurs. This requirement goes beyond just disclosing information from speaker/planner disclosure forms to learners.

**Financial Relationships:** Financial relationships are those relationships in which the individual benefits by receiving a salary, royalty, intellectual property rights, consulting fee, honoraria, ownership interest (e.g., stocks, stock options or other ownership interest, excluding diversified mutual funds), or other financial benefit. Financial benefits are usually associated with roles such as employment, management position, independent contractor (including contracted research), consulting, speaking and teaching, membership on advisory committees or review panels, board membership, and other activities from which remuneration is received, or expected. MSSNY considers relationships of the person involved in the CME activity to include financial relationships of a spouse or partner.

With respect to personal **financial relationships**, 'contracted research' includes research funding where the institution gets the grant and manages the funds and the person is the principal or named investigator on the grant.

MSSNY considers **financial relationships** to create actual conflicts of interest in CME when individuals have both a financial relationship with a commercial interest and the opportunity to affect the content of CME about the products or services of that commercial interest. MSSNY considers "content of CME about the products or services of that commercial interest" to include content about specific agents/devices, but not necessarily about the class of agents/devices, and not necessarily content about the whole disease class in which those agents/ devices are used.

With respect to **financial relationships** with commercial interests, when a person divests themselves of a relationship it is immediately not relevant to conflicts of interest but it must be disclosed to the learners for 12 months.

**Disclosure to Learners:** Disclosure of information about provider and faculty relationships may be disclosed verbally to participants at a CME activity. When such information is disclosed verbally, providers must be able to supply MSSNY with written verification that appropriate verbal disclosure occurred at the activity. With respect to this written verification:

1. A representative of the provider who was in attendance at the time of the verbal disclosure must attest, in writing:
  - a) that verbal disclosure did occur; and
  - b) itemize the content of the disclosed information (SCS 6.1); or that there was nothing to disclose (SCS 6.2).
2. The documentation that verifies that adequate verbal disclosure did occur must be completed within one month of the activity.



Name (First & Last)		Email Address	
Phone Number		License Number	
Activity Title			
Presentation Title		Activity Date	

Please indicate your role in this CME activity:

- Activity Director    Speaker    Planning Committee Member    Moderator  
 Author    Trainer    Panelist    Other:

Have you (or spouse/partner) had a personal financial relationship in the last 12 months with the manufacturer of the products or services that will be presented in this CME activity (planner) or in your presentation?  Yes    No

**If yes:** Please list the company name and the nature of the relevant financial relationship. If you need more space please attach a separate sheet.

Company	Nature of Relationship

### Commitment to Valid Content

Have you ever been excluded, debarred, suspended or deemed ineligible to participate in federal health care programs or in federal procurement or non-procurement programs or been convicted of a criminal offense that would result in mandatory exclusion from such programs or debarred or excluded by another federal agency?

- Yes    No

In the last two years, have you violated or received notice of any violation or potential violations related to ACCME/MSSNY or other continuing medical education policies and standards?  Yes    No



I understand that the information presented to the learner must be unbiased, scientifically balanced and based on best available evidence and best practices in medicine. I agree that all scientific and clinical research referred to, reported or used in CME to justify patient care recommendations will conform to the generally accepted standards of experimental design, data collection and analysis. Yes No

I agree to provide my presentation, reference and handouts to the Rochester Academy of Medicine prior to my presentation. I understand that participants may evaluate my CME presentation. Yes No

I will uphold academic standards to ensure balance, independence, objectivity, and scientific rigor in my role in the planning, development or presentation of this CME activity. In addition, I agree to comply with the requirements to protect health information under the Health Insurance Portability & Accountability Act of 1996. (HIPAA) Yes No

I agree to provide a balanced presentation that is free from commercial bias or financial interest for or against any commercial product or service. I agree to avoid the use of trade names in my presentation. If I determine that it is important to clarify via the use of trade names from all available companies will be included. Yes No

**I Hereby Certify That:**

1. This disclosure and commitment form was completed accurately, and I attest to the validity of the information contained within.

2. I agree to collaborate with the Rochester Academy of Medicine CME Office to ensure that the necessary follow-up is consistent with the MSSNY and ACCME Essential Areas, Elements, Criteria, Policies, and Standards for Commercial Support (SCS).

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Signature

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Date