

# UBC Department of Psychiatry Industry Supported CME Policy

Approved – September 4, 2003

**Preamble:** Professional interactions with commercial supporters need to be carefully defined. In February, 2003, the Faculty of Medicine's Division of Continuing Medical Education developed and adopted a 'Guidelines for Commercial Support of CME Activities' (hereafter referred to as the UBC CME document). The 10 guidelines contained within the UBC CME document (numbered and bolded below in abridged format) forms the basis for the policies contained within this document. These policies are operationalized via a question and answer format. These policies will be applicable to all educational activities sponsored or cosponsored by the UBC Dept of Psychiatry, including those undertaken by the CME/CPD, Undergraduate and Postgraduate programs; all of the UBC Dept of Psychiatry Divisions and Programs; and those Depts of Psychiatry within the UBC Dept of Psychiatry network of teaching hospitals<sup>1</sup>. All individual Faculty of the Department of Psychiatry must also comply with these policies.

**Guideline 1 “The selection of educational topics, speakers and course materials must be based upon the clinical needs of the patient population and the educational needs of physicians, and must not be influenced by commercial sponsors.”**

**Question:** Can commercial sponsors recommend speakers for Dept CME events

**Answer:** Yes.

**Question:** Do speakers recommended by commercial sponsors need to submit the content of the proposed presentation prior to local delivery.

**Answer:** No (but see next question and answer).

**Question:** Can commercial sponsors invite speakers to present at Dept CME events.

**Answer:** No. The invitation to participate must emanate from the course coordinator and not from the commercial sponsor. This invitation by the course coordinator should reference the key points within this document, particularly that all presentations must be free of any real or perceived commercial bias.

**Question:** Can commercial sponsors be members of course/rounds planning committees for Dept CME events.

**Answer:** No. This point is addressed by the last sentence under principle 1 that states: “All members of planning committees must abide by the principles set out in this document and participate without introducing commercial bias”. If an industry rep were on a planning committee, commercial bias would be very difficult to avoid. New proposed ACCME guidelines will likely spell out clearly that industry representatives should not be permitted on planning committees for CME/CPD activities.

**Guideline 2. “All Div. CME activities must be free of any real or perceived commercial bias.”**

**Question:** Can commercial sponsors make particular content or speakers a condition of support?

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<sup>1</sup> Please note that the abbreviation ‘Dept CME’ refers to all CME activities sponsored by the UBC Dept of Psychiatry’s CME/CPD program, all UBC Dept of Psychiatry Divisions and Programs, and those Departments of Psychiatry within the UBC Dept of Psychiatry network of teaching hospitals. Please note that the abbreviation ‘Div CME’ refers to UBC Faculty of Medicine Division of CME.

**Answer:** No.

**Question:** Can speakers use materials provided by commercial sponsors.

**Answer:** Yes. However the content of slides and reference materials must remain the ultimate responsibility of the faculty selected to provide the CME activity. According to the UBC Div CME office, “If a physician is totally comfortable with the content of industry prepared materials (handouts, slides, reference materials, etc.) and these materials do not introduce bias, promote specific products or industry interests, they may be used without alteration. The faculty should evaluate carefully all such materials before using them and should not use any materials as a condition of industry to support a particular presentation or CME/CPD activity”. Presenters who utilize materials prepared by commercial sponsors must clearly label the source of all such material.

**Guideline 3. “All CME activities must be free of commercial bias towards a particular product or therapy”.**

**Question:** Should titles of presentations/content of presentations include references to trade names.

**Answer:** The Div CME guidelines state “ Generic names should be used where possible.” The use of trade names in the content of presentations should therefore be discouraged and used only to familiarize the audience with the relevant trade medications. The use of trade names in the titles of presentations is not allowed.

**Question:** What does the reference to “unapproved” therapy mean.

**Answer:** The term unapproved therapy became part of these guidelines from the CMA policy document which states under principle #22 “if unapproved uses of a product or service are discussed, presenters must inform the audience of this fact”. The Div of CME interpret this to mean that when a medication or other treatment is recommended by a speaker for an indication not approved by the Health Protection Branch of Health Canada that this must be disclosed to the audience. In this sense, this would mainly apply to uses of products or services that would usually require formal approval of HPB to indicate safety and efficacy before general use are permitted. Please note it is recognized that current psychiatric practice involves the use of many formally ‘unapproved’ therapies, which merit educational presentations.

**Guideline 4. “ A registration fee must be charged for all CME activities that would normally have a registration fee associated with them.”**

**Question:** Are there Dept CME activities that can take place without registration fees despite commercial sponsorship?

**Answer:** Yes. As examples, exceptions to this general principle include rounds, established professional meetings, faculty development activities and research oriented continuing education activities.

**Guideline 5 “The presence of commercial displays must not influence CME activities.”**

**Question:** Can commercial displays be present at Dept CME events.

**Answer:** Yes

**Question:** Can commercial sponsors be publicly thanked at Dept CME events

**Answer:** Yes

**Question:** The guideline states that commercial sponsors may not influence exhibit placement as a condition of support for CME activity. However, can a minimum level of financial support be requested before the option to place an exhibit is provided?

**Answer:** Yes, provided it is the Dept CME organizers that are setting the conditions of exhibit placement and not industry.

**Question:** Can industry reps attend a Dept CME event that they do not sponsor?

**Answer:** Yes but they should only attend with permission of the conference organizer and not contribute directly to the proceedings. According to the UBC Div of CME department policy, industry representatives must avoid any product promotion while attending (as observers) any CME activity.

**Guideline 6 “Faculty and visiting speaker payments must be consistent with that which would be made in the absence of commercial sponsorship”.**

**Question:** Can commercial sponsors directly pay an invited speaker?

**Answer:** No. Either the Dept. of Psychiatry CME/CPD office, Division, Program or teaching hospital must make this payment. If requested, the Dept of Psychiatry CME/CPD office will manage these transactions under the direction of the relevant Teaching Hospital/Division/Program CME organizer.

**Question:** Can commercial sponsors establish the amount a speaker is to be paid (ie in those circumstances where they’ve recommended the speaker and also provided an unrestricted educational grant to the Dept CME organizers)?

**Answer:** No. The CME organizer must set speaker fees. However the CME organizer can agree to pay a speaker the amount recommended by the commercial sponsor. The Div of CME is currently examining this issue and is contemplating developing a policy that will set consistent honorariums and/or speaker payments to be utilized for all Div CME programs. The Dept CME will revisit this issue once the Div CME policy is developed.

**Question:** Can industry sponsor defray the costs of participants at CME events? In particular, the CMA Guidelines (Principle 24) include the following point: The industry sponsor should not pay for travel or lodging costs or for other personal expenses of physicians attending a CME/CPD event. However, according to the “R & D code of Marketing Practices”, physicians may apply and receive support “to participate in CME events held outside Canada”, provided a report is submitted to the supporting company (or to other alternatives listed). Although, not defined, it appears “participate” simply refers to attendance at the international meeting, as opposed to more active involvement, such as presenting a paper. Which of these apparently contradictory recommendations do the UBC Div CME Guidelines support (ie does the CMA policy prevail?).

**Answer:** According to the Div CME office, the UBC CME Guidelines clearly support the CMA policy and would see no difference in receiving funds to pay for travel, lodging or personal expenses to attend a CME/CPD event held in Canada or outside of Canada. This is one of the main controversies in the current Rx and D Guidelines.

**Question:** This guideline states it is inappropriate to receive gifts from commercial organizations while taking part in a CME activity. What about those organizing CME events? Is it a “personal gift” if payment for meals (eg a luncheon) is offered to Dept CME physician organizers who are meeting with commercial sponsors, potential or committed, in order to discuss a CME event?

**Answer:** Although it is recognized that the physician organizer is carrying out an official function by meeting with the industry, payment for meals should not be accepted, even in these circumstances, in order to avoid the perception of bias.

**Question:** Can a commercial sponsor directly reimburse the travel/lodging & meal expenses of a speaker?

**Answer:** No. Reimbursement must emanate from the Dept CME and not from the commercial sponsor.

**Question:** Do informal CME events, such as a lunch with an out-of-town speaker to discuss case conferences, fall within these guidelines?

**Answer:** Yes. All CME events, whether informal or not, must comply with formal guidelines (ie CME organizers to directly invite and pay speaker, modest meals, etc...)

**Question:** Can Faculty accept honoraria for speaking engagements at local hospitals?

**Answer:** Guideline 6 clearly states that it is appropriate for Faculty to accept reasonable honoraria. It would therefore be entirely reasonable for a Faculty member of the UBC Dept of Psychiatry to accept reasonable honoraria as a visiting speaker to a Lower Mainland Hospital (or other external setting). Please note however that the invitation to participate must emanate from the hospital's course coordinator and not the commercial sponsor. Further, although commercial sponsors can recommend speakers, it's important that the speaker must be acceptable to the course coordinator and his/her planning committee. Finally, it's recognized that some hospitals may not have established CME accounts and have relied on commercial sponsors to pay speakers directly. However, according to the Dept CME policy, any payment to Faculty may not be made directly by commercial sponsors. Invited speakers should therefore clarify the intended source of payment and ensure that all funds from commercial sponsors are in the form of unrestricted educational grants made payable to the local hospital.

**Question:** Can Faculty accept invitations to speak at industry-initiated CME events?

**Answer:** The UBC Division of CME guidelines does not explicitly address this point. However, it would be entirely reasonable for a Faculty member of the UBC Dept of Psychiatry to accept such invitations and a reasonable honorarium. In this case, the commercial sponsor could directly pay the honorarium to the speaker. Please note however that the educational content must remain the ultimate responsibility of the Faculty. Further, speakers should ensure they are aware of the nature of meals and/or social events that are being offered to those who attend. In particular, the CMA guidelines highlight that subsidies for hospitality should not be accepted outside of modest meals or social events. Anything beyond such subsidies would be viewed as a personal gift given to those who attend which, according to the CMA guidelines, should not be accepted, regardless of whether an event is an accredited CME activity or not. In summary, although the Dept of Psychiatry guidelines are focused on UBC associated teaching, it also expected that all Faculty will comply with the recommendations contained in the 'Canadian Medical Association policy on 'Physicians and the Pharmaceutical Industry' (Update 2001).

**Guideline 7. “Registrants must not receive payment from commercial sponsors for attendance at CME Activities.”**

**Question:** Does the above guideline also apply for CME activities not organized by the Dept CME?

**Answer:** See above. The Div CME Guidelines clearly support the CMA policy and would see no difference in receiving funds to pay for travel, lodging or personal expenses to attend any CME/CPD event held in Canada or outside of Canada.

**Question:** Is it appropriate to include a modest industry sponsored meal or social event as part of a Dept CME activity?

Answer: Yes.

**Guideline 8 “The extent and nature of commercial support at a CME activity must be in keeping with the educational intent of the activity.”**

**Question:** Can the duration of a commercially sponsored social event be greater in duration than the corresponding educational component?

Answer: No

**Guideline 9 “All parties must fully disclose all monetary support, expenditures, and potential conflicts of interest relevant to that CME activity”.**

**Question:** The above guideline appears to imply that a commercial sponsor may participate in planning committees and may have expenses other than unrestricted educational grants. However, guideline 1 implies that industry reps should not be on CME planning committees, as commercial bias would be very difficult to avoid. Is this not a contradiction?

Answer: Although the Div of CME hopes that guideline 1 will be interpreted as above and that industry reps will therefore not be members of planning committees, this may not be followed by all those applying for Division of CME accreditation. In these cases, the Div of CME wanted to be clear that industry reps must be identified as a part of full disclosure. However, in terms of Dept CME policy, industry reps should not be members of Dept CME planning committees (see under Guideline 1).

**Guideline 10. “Acknowledgements must avoid bias towards particular sponsors or products”.**

**Question:** Is it appropriate to acknowledge sponsors by their level of sponsorship (eg. Gold, silver, bronze)?

Answer: Yes.

**Question:** Do non-commercial sponsors need to pay the same amounts as commercial sponsors when jointly sponsoring a CME activity.

Answer: No.

**Question:** When a series of grand rounds is sponsored by a number of commercial sponsors, how should sponsorship be acknowledged?

Answer: Each round within the series should acknowledge all sponsors.

**Question:** Is it appropriate to acknowledge the name of the industry rep, in addition to the name of the commercial sponsors, on a course brochure, posters, or flyers?

Answer: No