



Commercial Support Guidelines

INTRODUCTION

As an organization accredited by the Accreditation Council for Continuing Medical Education (ACCME), the American College of Surgeons (ACS) has developed the following commercial support guidelines (commercial promotion guidelines are provided in a separate document). Please review the following guidelines, which ensure that educational activities are held without commercial influence and in full compliance with *ACCME's Standards for Commercial Support*.

COMMERCIAL SUPPORT DEFINITIONS

Commercial support, previously referred to as “educational grants,” is categorized as financial or in-kind (equipment, supplies, services, and so on) contributions provided by an *ACCME-defined* commercial interest

Commercial interest: Defined by the ACCME as “any entity producing, marketing, reselling, or distributing health care goods or services consumed by, or used on, patients (in other words, pharmaceutical or device company)

- Providers of clinical service directly to patients are NOT considered to be commercial interests (unless the provider is owned or controlled by an ACCME-defined commercial interest)
- Commercial interests are not eligible for ACCME accreditation

Commercial supporter: A commercial interest that provides financial or in-kind support for a Continuing Medical Education (CME) activity

COMMERCIAL SUPPORT TYPES

The two types of commercial support are:

Financial support: A monetary donation used to pay for all or part of the costs of a CME activity

In-kind support: Non-monetary contributions provided by a commercial interest in support of a CME activity in one of the following categories:

- Equipment loan
- Disposable supplies (non-biological, such as instruments/materials)
- Animal parts or tissue
- Human parts or tissue
- Facilities/space



PLANNING A CME ACTIVITY WITH COMMERCIAL SUPPORT

Requirements for Commercial Supporters

Commercial supporters will not direct content nor influence the planning or implementation of educational activities

Commercial supporters are not permitted to be involved in the following:

- Identification of practice gaps and needs that become the foundation for the activity
- Preparation of or input into the learning objectives
- Selection and/or presentation of content
- Recommendation of individuals to assist who would be able to control the content of the CME activity (for example, planners, editorial committee, faculty, and so on)
- Influence over the selection of the educational design for the activity
- Selection of vendors or methods for the evaluation of the activity
- Requests for “technical review” of the content of the CME activity

Applying for Commercial Support

For Directly-Sponsored activities, the ACS CME staff representative or Chapter representative is responsible for soliciting and applying for commercial support toward their educational activity.

For the Joint Providership Program (JPP), the partnering organization representative is responsible for soliciting and applying for commercial support toward their educational activity.

The CPDA team must review all mailings/materials used to solicit commercial support from commercial interests prior to distribution in order to ensure compliance with ACS and ACCME requirements.

Letter of Agreement

If a company agrees to provide commercial support for a CME activity, a Letter of Agreement (LOA) is required.

The ACS LOA template must be used, which includes the following components:

- Contact information of the commercial supporter
- Name, date, and location (for live meetings only) of CME activity
- For Joint Providership Program activities, the name of the partnering organization
- Terms and conditions for compliance with ACCME Standards for Commercial Support
- Amount of monetary support and/or
- Description/value of in-kind support
- Signature of commercial company representative
- For Directly-Sponsored activities only, the signature of the ACS representative:
 - For Chapter activities, the signature of the ACS Chapter representative OR
 - For ACS activities, the signature of the ACS CME staff representative

- For Joint Providership Program activities only:
 - The signature of partnering organization representative AND
 - The signature of the CPDA section representative

For Directly-Sponsored activities, the commercial supporter representative must sign off prior to the ACS representative's signature.

For Joint Providership Program activities, the commercial supporter representative must sign off prior to the partnering organization representative. The CPDA section representative will sign the LOA only after both signatures have been provided.

If a company cannot utilize ACS' LOA template, the following components must be incorporated, and the LOA must be reviewed by the CPDA team for compliance with ACS and ACCME policies:

- Explicitly state that the commercial supporter will comply with ACCME's Standards for Commercial Support
- Acknowledge that there will be no company promotion as part of the educational activity and no influence over the content of the educational activity
- Name ACS as the accredited provider of the educational activity

All LOAs must be signed by all parties and submitted to the CPDA at least five days before the educational activity.

COMMERCIAL SUPPORT DURING A CME ACTIVITY

Acknowledging Commercial Support

Commercial supporters receive only an acknowledgment for their contribution toward a CME activity.

Acknowledgments of any kind CANNOT include company logos, nor product-group messages.

Acknowledging commercial supporters must be done prior to content being disseminated, at the beginning of the CME activity. Examples may include, but are not limited to:

- Mention of company name only (no logos) as a commercial supporter in program materials (program book, app, website, and so on)
- For live meetings, on-site signage or presentation slides that mention the company name only (no logos) as a commercial supporter

Sample text for acknowledgments for Directly-Sponsored activities: "The American College of Surgeons (Chapter Name, if Chapter) acknowledges (company name) for their commercial support of this educational activity."

Sample text for acknowledgments for Joint Providership Program activities: "The (partnering organization name) acknowledges (company name) for their commercial support of this educational activity."

Acknowledgments of commercial support must be global and apply to the entire educational activity, rather than linked to specific sessions or portions of an activity. For example, the acknowledgment "The ACS would like to acknowledge (company name)'s support of the Paper Competition." is not permitted.

Guidelines for Commercial Support

- All support for food and beverages (including coffee breaks, meals, and so on) provided during the CME activity must be funded by commercial support (NOT commercial promotion). Breaks, meals, and/or social events cannot compete with (in other words, occur at the same time) nor take precedence over CME content.
- Additional support for educational activities such as printing costs, WiFi service, registration bags (without logos/company names included), audio/visual fees, medical equipment, and so on must be funded by commercial support.
- Dialogue between the faculty/presenter/author and the commercial supporter that would influence the content of the CME activity is not permitted.
- Generic names must be used when discussing therapeutic or clinical options. If the content includes trade names, those from several companies should be used (rather than trade names from a single company).
- Program chairs and moderators are responsible for monitoring such activity and addressing any possible violations, in order to ensure that these requirements are appropriately met.
- Logos cannot be used to acknowledge commercial support.
- If in-kind support (such as equipment) is being provided for the CME activity, all company logos must be obscured.
- Employees of ACCME-defined commercial interests can only participate as technicians, in accredited activities, that teach the proper and safe use of medical devices.
 - Employees are not permitted to have control over or input in educational content and are not permitted to provide clinical recommendations related to their employer (the commercial interest)
 - The activity planner/faculty member must monitor the appropriateness of the commercial employee's participation in the CME activity for compliance
 - A LOA for in-kind support must be completed for the medical devices used in these scenarios during CME activities

COMMERCIAL SUPPORT AFTER A CME ACTIVITY

Reconciliation of commercial support is required for all CME activities as part of the Final Report due to the ACS CPDA team following a CME activity. For monetary commercial support, the commercial company name, financial amount of support (dollar value), and details of how the funds were utilized toward the CME activity must be summarized for each commercial support contribution.

HONORARIUM POLICY

Honorarium is defined as “a payment, fee, or other compensation received as a gratuity, award, or honor.”

Planning/editorial committee members, speakers, authors, moderators, or any individual in a position to affect or control the content of a CME activity are not permitted to receive payment directly from an ACCME-defined commercial interest for honoraria, travel, or out-of-pocket expenses. Individuals are required to attest to these terms as part of the disclosure process.

If a commercial interest is providing monetary support for a CME activity, these funds cannot be used to pay for learners' registration, travel, lodging, or out of pocket expenses related to their participation in a CME activity.

This policy applies only to honoraria that are funded by ACCME-defined commercial interests (either through commercial support or commercial promotion). If honoraria are being provided by non-commercial entities, the individuals responsible for the CME activity must ensure adherence to the ACS division policy for ACS activities, and to the partnering organization's policy for JPP activities.

