

Policy on Disclosure and Resolution of Relevant Conflicts of Interest (COI)

In September 2004, the ACCME updated its Standards for Commercial Support. Therefore as an ACCME accredited provider, the American Academy of Physical Medicine and Rehabilitation (AAPM&R) must be able to show that all individuals in a position to control the content of an educational activity have disclosed all relevant financial relationships with any commercial interest to the Academy. A “relevant financial relationship” is defined as a relationship in any amount for the individual (i.e., self, spouse or partner) occurring within the 12 month period preceding the time that the individual is asked to assume a role in controlling the content of a CME activity – including participating as a planner, author, course director, speaker, etc. For financial relationships spanning more than one year, disclosures should be completed for all years of the relationship regardless of the year of the financial transaction.

A financial relationship is defined as one 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), or other financial benefit. Financial benefits are usually associated with roles such as employment, management position, independent contractor (including contract research), consulting, speaking and teaching, membership on advisory committees or review panels, board membership, and other activities from which remuneration is received or expected. A direct financial relationship is a compensated relationship held by an individual that should generate an IRS Form W-2, 1099 or equivalent income report.

In 2010, the AAPM&R adopted the Council for Medical Specialty Societies (CMSS) Code for Interactions with Companies, the following policies apply:

AAPM&R will post the Academy’s conflict of interest policies on the AAPM&R Web site making them available to the members and the public.

Upon written request, AAPM&R will disclose all financial and uncompensated relationships that members of the Board of Governors have with Companies, making this information available to members and the public.

Requests for disclosure information must be made in writing to Academy Headquarters; requests will be reviewed by the Academy president or secretary. Disclosures to members will include the dollar ranges indicated on the disclosure form. Non-members will only receive information about the disclosed relationship, without dollar ranges.

All committee volunteers, speakers, planners, etc., regardless of position, must submit and update disclosure information at least annually, or prior to each committee or planning meeting or speaking engagement.

Disclosure forms will include the following ranges: \$1-\$2,000, \$2,001-\$15,000, \$15,001-\$25,000, and \$25,001+.

Only members of the Board of Governors are required to disclose financial ranges. Others must disclose a relationship only. AAPM&R President, Vice President, Past President, President-Elect, Executive Director and Editor-in-Chief of the PM&R Journal may not have any financial conflicts with companies.

According to the ACCME standards, an individual who refuses to disclose (or provides partial or incomplete disclosure of) relevant relationships cannot be permitted to have control of, or responsibility for, the development, management, presentation or evaluation of a CME activity. Therefore, AAPM&R must implement a mechanism to identify and resolve all conflicts of interest prior to a CME event. It is important to note that the ACCME allows its CME providers to design and adopt a mechanism that works best for its structure and type of activities.

As such, for all educational activities designated for Category 1 Credit AAPM&R will:

1. Identify all conflicts of interest for individuals in a position to control the content of the activity; and
2. Resolve all conflicts of interest prior to the educational activity being delivered to learners.

1. Disclosure forms will be sent to all persons in a position to control the content of a CME activity (planners, course directors, speakers, authors, editors, etc.)
2. Completed disclosure forms must be received in ample time to be reviewed and discussed by the appropriate monitoring group, i.e. AAPM&R's Program Planning Committee. Planners, speakers, and authors shall receive clear and unambiguous instructions that failure to return the form in a timely manner may result in disqualification from participation in the CME activity. Reminders (calls, e-mails, faxes) shall be sent at reasonable periods prior to the deadline.
3. Returned disclosure forms will be reviewed and discussed by the appropriate monitoring group. NOTE: The Resolving COI Flowchart should be utilized during this process.
4. Individuals who fail or refuse to disclose their relevant financial relationship(s) will be prohibited from participation in the planning, presentation, or evaluation of a CME activity.
5. If resolution of COI is deemed necessary, the following will be communicated to the individual:

Based on the information you submitted in your Disclosure Form, you meet the criteria for having a conflict of interest. ACCME requires that CME providers resolve conflicts of interest before an individual may participate in the development or presentation of a CME activity. Therefore, you must adhere to the following:

When developing or presenting content discussing healthcare products or services with whose manufacturers or providers you have a relevant financial relationship:

- *You must use the "best available evidence" in the specialty or therapeutic area as support for any statements you make about those products or services.*
- *While you may indicate that you utilize a particular product or service in your practice, you must not make patient care or practice recommendations based on your "clinical experience" only.*
- *You must not express a personal or professional preference for those products or services.*

All CME content over which you have control will be analyzed by AAPM&R to ensure the above. AAPM&R shall employ a monitoring committee, external expert, or peer review for this analysis. If any statements fall outside of these requirements, you must revise or delete them. In addition, you must adhere to these standards both in your formal presentation and in any question-and-answer type discussions during the activity.

6. The following information regarding relevant financial relationship(s) of all individuals in a position to control CME content will be disclosed to learners prior to the start of activity:
 - a) The name of the individual
 - b) The name of the commercial interest(s) with which the relationship exists;
 - c) The nature of the relationship the individual has with each commercial interest
7. For an individual with no relevant financial relationship(s), the learners will be informed that no relevant financial relationship(s) exist.
8. If a faculty member does not provide disclosure information prior to the deadline for printed activity materials, that information must be disclosed verbally at the live activity prior to the faculty member's presentation. An Academy staff member or designated agent should be present to witness the communication of the information and document for the Academy's ACCME files.
9. The source of all support from commercial interests will be disclosed to learners. When commercial support is "in-kind," the nature of the support must be disclosed to learners. NOTE: "Disclosure" must never include the use of a trade name or a product-group message.
10. Finally, the activity will be monitored for adherence to requirements (staff/expert review). A mechanism will be provided for participants to evaluate commercial bias. The evaluation data for each planner/teacher/author will be analyzed and used for making decisions about including individual planners/teachers/authors in future CME activities.

Resolving Conflict of Interest Decision Tree

