



Joint Accreditation Conflict of Interest Policy
MaineHealth Department of Medical Education
Office of Faculty and Professional Development

In alignment with MaineHealth's *Code of Ethical Conduct* and MaineHealth Maine Medical Center (MMC) Southern Region Policy: *Promoting Ethical Partnerships with Health Care Vendors*, MaineHealth will adhere to all of the Joint Accreditation supported Accreditation Council for Continuing Medical Education (ACCME) *Standards for Integrity and Independence in Accredited Continuing Education* to ensure, as expressed by ACCME, that educational activities:

- Serve the needs of patients and the public
- Present learners with only accurate, balanced, scientifically justified recommendations
- Assure learners they can trust accredited continuing education to help them deliver, safe, effective, cost-effective, and compassionate care that is based on best practice and evidence
- Create a clear, unbridgeable separation between accredited continuing education and marketing and sales

The potential for conflicts of interest (COI) exists when an individual has the ability to control or influence the content of an educational activity and has a financial or material relationship with an ineligible company. A **relevant financial interest** is defined by the ACCME as meeting all of the following three criteria:

- ✓ A financial relationship, in **any amount**, exists between the person in control of content and an ineligible company.
- ✓ The financial relationship existed during the past **24 months**.
- ✓ The content of the education is related to the products of an ineligible company with whom the person has a financial relationship.

Ineligible companies are those whose primary business is producing, marketing, selling, re-selling, or distributing healthcare products used by or on patients. Office of Faculty and Professional Development (OFPD) staff will be responsible for determination of the relevancy of reported financial interests, and will notify the Activity Administrator when mitigation is required. Examples of **financial relationships** include: employee, researcher, consultant,

advisor, speaker, independent contractor (including contracted research), royalties or patent beneficiary, executive role, and ownership interest. Individual stocks and stock options should be disclosed; diversified mutual funds do not need to be disclosed. Research funding from ineligible companies should be disclosed by the principal or named investigator even if that individual's institution receives the research grant and manages the funds.

All planning decisions for an accredited activity will be made free of commercial interest of ineligible companies ((a) identification of needs; (b) the determination of educational objectives; (c) the selection and presentation of content; (d) the selection of all persons and organizations in a position to control the content; (e) the selection of educational methods, and (f) the evaluation of the activity). Activity materials must not include ineligible companies' corporate or product logos, trade names, or product group messages. The educational planners must resolve conflicts of interest prior to the planning decisions and activity. Activities with commercial support are not eligible for joint accreditation.

All faculty and planners involved in control of content of an activity must disclose a conflict of interest, and any financial or material relationships with ineligible companies before participating in any of the planning decisions noted above. Disclosures should be made via electronic disclosure through the CloudCME platform. In instances where a faculty member or planner cannot access CloudCME, a PDF disclosure may be accepted. Such decisions require pre-approval from OFPD staff and are made on a case-by-case basis. Conflict of interest disclosures are valid for one (1) year from the date of completion, and must be valid through the date of an activity in which the individual is participating. For regularly scheduled series (RSS) activities, the Activity Director is responsible for ensuring disclosures for all participating faculty and planners remain valid throughout the series. Activities will periodically and randomly undergo compliance checks against disclosures. Activities will be checked for compliance with disclosures periodically and at random.

Anyone responsible for activity content who does not share possible conflicts of interest or relevant financial interest cannot be involved in planning or presenting the material.

The Course Director/Activity Coordinator is responsible for mitigating conflicts of interest, or in the case of a conflict on the part of the Course Director, a peer activity planning committee member. If the educational planners are unable to resolve a conflict of interest, they may request the conflict of interest be resolved by a senior institutional official (i.e., a Director level or higher individual involved with health professions education).

Appropriate mechanisms to mitigate relevant financial relationships may include but are not limited to the following:

- An individual who has an identified conflict of interest will recuse themselves

from all discussion/decision making processes where the conflict of interest is relevant

- Revising the role of the individual with the COI so that the relationship is no longer relevant to the activity
- Not awarding contact hours for a portion or all of the CIPD activity.
- Peer Review: A faculty member with a conflict of interest must submit his/her work to an individual or panel for peer review. Peer reviewers must be planning committee members or faculty for the activity, have a similar level of experience and/or expertise as the individual with the conflict, be free of conflicts of interest themselves, and be approved to act as a peer reviewer by the Office of Faculty and Professional Development. The determination of the review, as it relates to the conflict, must be followed. If the faculty member refuses the recommendation they must resign and a new faculty member will be appointed. Peer review may also be invoked to review planning decisions.
- As part of the activity review and approval process, the OFPD Advisory Committee and/or leadership will make recommendations as to the need for an onsite review/audit of a given activity. Factors for making such a determination may include: jointly sponsored activity, a history of perceived bias if the activity is a repeat activity, or an activity that includes a high percentage of faculty who have disclosed Conflicts of Interest. Once determined that an onsite review should be conducted, staff are assigned to attend selected conferences and will document compliance.
- Activity participants may be surveyed about perceived commercial bias as part of the post-activity evaluation. If the educational planners and/or OFPD staff upon review of the learner evaluations, find that greater than 5% of learners perceived commercial bias was present, the educational planners must query learners further as to the reasons such commercial bias was perceived to be present. After such queries, if commercial bias was present then the activity accreditation will be revoked and educational credit will not be issued.

Faculty and/or planners who are owners or employees of ineligible companies must be recused from participating in an activity unless:

- When the content of the activity is not related to the business lines or products of their employer/company.
- When the content of the accredited activity is limited to basic science research, such as pre-clinical research and drug discovery, or the methodologies of research, and the faculty and/or planners who are owners or employees of ineligible companies do not make care recommendations.

- When they are participating as technicians to teach the safe and proper use of medical devices, and do not recommend whether or when a device is used.

Learners must receive written information regarding disclosure of all relevant financial relationships before engaging with the accredited education. This written information may be in the form of a PowerPoint slide, and/or included in an activity brochure or activity agenda, in print or electronic format. If there are relevant financial relationships, a statement must be made that all such relationships have been mitigated. The absence of relevant financial relationships must also be disclosed in written information.

OFPD leadership serves as an ongoing resource to provide training and answer questions from activity coordinators, course directors, presenting faculty and educational partners related to standards of practice in accredited continuing education, the ACCME *Standards for Integrity and Independence in Accredited Continuing Education*, this and all other MaineHealth Office of Faculty and Professional Development policies.

References:

Accreditation Council for Continuing Medical Education. Standards for Integrity and Independence in Accredited Continuing Education. Published 2020.

Reviewed and approved:

CIPD Committee, August 29, 2019.

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