

**UND SCHOOL OF MEDICINE AND HEALTH SCIENCES OFFICE OF CONTINUING MEDICAL EDUCATION
JOINT PROVIDERSHIP AGREEMENT**

TITLE OF ACTIVITY:	ACTIVITY DATE:
RESPONSIBLE UND SMHS ORGANIZATION/DEPARTMENT: UND SMHS Continuing Medical Education	
RESPONSIBLE INDIVIDUAL: Mark Basson, MD, Ph.D., MBA, Senior Associate Dean for Medicine and Research	PHONE: Mary Johnson 701-777-3201
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EDUCATIONAL PARTNER:	
AUTHORIZED REPRESENTATIVE:	PHONE:
ADDRESS:	FAX:

BACKGROUND

The University of North Dakota School of Medicine and Health Sciences (SMHS) is accredited by the Accreditation Council for Continuing Medical Education (ACCME) to provide continuing medical education for physicians. The ACCME requires that providers maintain a high standard of quality in the development of continuing medical education activities.

The purpose of continuing medical education is to enhance the physician's ability to care for patients. It is the responsibility of the UND SMHS to assure that educational activities are designed primarily for that purpose. The provider generates activities/educational interventions that are designed to change competence, performance, or patient outcomes.

ACCME defines a jointly provided activity as one that is planned, implemented and evaluated by the accredited provider and one or more entity(ies). In the case of this proposed CME activity, _____ shall be referred to as the "educational partner" and the UND SMHS shall be referred to as the "accredited provider."

RESPONSIBILITIES OF THE ACCREDITED PROVIDER

1. Assuring Compliance with ACCME Essential Areas, Elements and Policies:

The UND SMHS is responsible for the content, quality and scientific integrity of the proposed activity and for ensuring that the jointly provided activity is in compliance with Accreditation Requirements and Policies of the Accreditation Council for Continuing Medical Education (ACCME). In addition, the UND SMHS endorses the requirement of the Accreditation Council for Continuing Medical Education (SCS 2.1) that says providers “must be able to show that everyone who is in a position to control the content of an education activity has disclosed all relevant financial relationships with any commercial interest to the provider.”

2. Commercial Support of an Educational Activity:

ACCME provider (UND School of Medicine and Health Sciences) must ensure that the following decisions were made free of the control of a commercial interest: (a) Identification of CME needs; (b) Determination of educational objectives; (c) Selection and presentation of content; (d) Selection of all persons and organizations that will be in a position to control the content of the CME; (e) Selection of educational methods; (f) Evaluation of the activity. A commercial interest cannot take the role of non-accredited partner in a joint provider relationship. The definition of ACCME-defined commercial interest is: A commercial interest is any entity producing, marketing, re-selling, or distributing health care goods and services consumed by, or used on, patients.

All commercial support associated with a CME activity must be given with the full knowledge and approval of the provider. A provider cannot be required by a commercial interest to accept advice or services concerning teachers, authors, or participants or other education matters, including content, from a commercial interest as conditions of contributing funds or services. The provider must make all decisions regarding the disposition and disbursement of commercial support. The terms, conditions, and purposes of the commercial support must be documented in a written agreement between the commercial supporter that includes the provider and its educational partner(s). The agreement must include the provider, even if the support is given directly to the provider’s educational partner or a joint provider. The written agreement must specify the commercial interest that is the source of commercial support. Both the commercial supporter and the provider must sign the written agreement between the commercial supporter and the provider.

Funds from a commercial source must be in the form of an educational grant made payable to the UND SMHS for the support of programming. The terms, conditions and purposes of such grants must be documented by a signed agreement between the commercial supporter and the UND SMHS. All support associated with a CME activity, whether in the form of an educational grant or ‘in-kind’ services, must be given with the full knowledge and approval of the UND SMHS. No other funds from a commercial source shall be paid to the director of the activity, faculty, or others involved with the supported activity.

The UND SMHS may delegate the responsibility for receiving and disbursing funds from education grants to _____. However, the letter of agreement regarding the grant must be between the UND SMHS and the commercial supporter and the UND SMHS must maintain and be able to produce as documentation a full accounting of funds.

3. Post CME Activity:

Upon receipt of the required information/documentation as outlined below in the “Responsibilities of the Educational Partner” section, the UND SMHS will document CME attendance for the activity.

RESPONSIBILITIES OF THE EDUCATIONAL PARTNER

The Educational Partner in consultation with the UND SMHS is responsible for:

1. Design and Production of the CME Activity

- a) The identification of continuing medical education gaps.
- b) The determination of educational objectives.
- c) The selection of content, faculty, educational methods and materials.
- d) The design and administration of the activity evaluation (in accordance with the UND SMHS practices).
- e) Assuring that the CME activity is free of commercial bias for or against any product, provider or services.
- f) If the activity addresses commercial products or services, it must present objective information about those products or services, based on scientific methods generally accepted in the medical community. Discussion of other similar product(s) or service(s) must be discussed.
- g) Completing a UND SMHS – Request for CME Credit Form

2. Commercial Support of an Educational Activity

If commercial support is provided, a projected CME activity budget must be prepared by the educational partner and submitted to the UND SMHS.

A final activity budget detailing all program expenses and revenues must be presented to the UND SMHS following the activity which includes a full accounting of the funds from commercial supporters. It is the responsibility of the educational partner to assure that any commercial support provided meets the ACCME Standards for Commercial Support of a Continuing Medical Education activity. *Standards for Commercial Support (SCS 2.1) states providers “must be able to show that everyone who is in a position to control the content of an education activity has disclosed all relevant financial relationships with any commercial interest to the provider.”

- a) Commercial supporters of the activity will not control the planning, content or execution of the activity.
- b) The content of slides and reference materials will remain the ultimate responsibility of the faculty selected by _____.
- c) The educational partner may obtain information that will assist in planning and producing an educational activity from an outside source. Acceptance of advice or services concerning speakers, invitees or other educational matters, including content, will not be among the conditions of providing support by a commercial organization.
- d) The content of program information is the responsibility of _____ and the UND SMHS, and any such information must identify the educational activity as produced by _____ and the UND SMHS.
- e) Promotional materials for CME activities that are not directly related to the transfer of education to the learner may include advertising. Such promotional materials may contain multiple non-CME elements of the event such as schedules and course descriptions. Educational materials that are part of the accredited activity, such as slides, cannot have any advertising.
- f) If commercially supported CME activities repeat essentially the same information each time they are given, it must be demonstrated that every iteration of that activity meets all of the Essential Areas.
- g) Educational activities consisting of concepts or materials prepared by proprietary entities adhere to the Essential Areas in all respects, especially with regard to the provisions concerning the independence of the accredited provider in planning, designing, delivering, and evaluating such activities.
- h) Presentations must give a balanced view of therapeutic options. Faculty use of generic names will contribute to this impartiality. If trade names are used, those of several companies should be used rather than only that of a single supporting company.

- i) When an unlabeled use of a commercial product, or an investigational use not yet approved for any purpose is discussed during an educational activity the accredited provider shall require the speaker to disclose that the product is not labeled for the use under discussion or that the product is still investigational.
- j) When commercial exhibits are part of the overall program, arrangements for these cannot influence planning or interfere with the presentation of CME activities. Exhibit placement cannot be a condition of support for a CME activity.
- k) No commercial promotional materials shall be displayed or distributed in the same room immediately before, during, or immediately after an educational activity certified for credit.
- l) Representatives of commercial supporters may attend an educational activity, but may not engage in sales activities while in the room where the activity takes place.

3. Use of Contributed Funds from a Commercial Supporter:

The educational partner in consultation with UND SMHS is responsible for assuring that:

- a) Payment of reasonable honoraria and reimbursement of out-of-pocket expenses for faculty is customary and proper
- b) Commercial support must be acknowledged in printed announcements and brochures, however, reference must not be made to specific products.
- c) Commercially supported social events at CME activities cannot compete with, nor take precedence over the educational events.
- d) Funds originating from a commercial source may not be used to pay travel, lodging, registration fees, honoraria, or personal expenses for non-faculty attendees. Subsidies for hospitality should not be provided outside of modest meals or social events that are held as part of the activity.
- e) Scholarship or other special funding to permit medical students, residents, or fellows to attend selected educational conferences may be provided, as long as the selection of students, residents or fellows who will receive the funds is made either by the academic or training institution, or by the UND SMHS with the full concurrence of the academic or training institution.

4. Disclosure of Financial Interest or Other Relationships with Manufacturers of any Commercial Product Discussed in the Educational Activity

The existence of any relevant financial interest or other relationship that the educational partner, _____, UND SMHS, planning committee members or any of the presenters for the activity have with manufacturer(s) of any commercial product(s) discussed in an educational presentation must be disclosed to the participants. All certified CME activities must conform to this policy. Additionally, information that a presenter has no relevant financial relationship to disclose must be provided to the learner. If anyone in a position to control the content refuses to disclose they will not be allowed to present or participate in the activity.

5. Internet-Based CME

CME activities delivered via the Internet are expected to be in compliance with the ACCME policy.

- a) **Activity Location:** ACCME-accredited providers or joint providers may not place their CME activities on a Web site owned or controlled by a commercial interest.
- b) **Links to Product Web sites:** With clear notification that the learner is leaving the educational Web site, links from the Web site of an ACCME accredited provider to pharmaceutical and device manufacturers' product Web sites are permitted before or after the educational content of a CME activity, but shall not be embedded in the educational content of a CME activity with approval of the UND SMHS.
- c) **Advertising:** Advertising of any type is prohibited within the educational content of CME activities on the Internet including, but not limited to, banner ads, subliminal ads, and pop-up

window ads. For computer based CME activities, advertisement and promotional materials may not be visible on the screen at the same time as the CME content and not interleaved between computer windows or screens of the CME content.

6. Information to Learner Prior to Their Participation in an Internet-Based CME Activity

The educational partner must provide documentation to the UND SMHS that demonstrates how the information listed below will be provided to the learner prior to participation in the activity:

- a) The title of the activity
- b) Acknowledgment of any commercial support
- c) Learner-based objectives
- d) Estimated time to complete the activity
- e) Date of original release, review date (where applicable) and termination date (date after which material is no longer certified for credit)
- f) Disclosure information (providing units, planning committees and presenters)
- g) ACCME accreditation statement and AMA PRA designation statement (refer to section below titled "Accreditation Statement and AMA PRA Statement.")
- h) Pre/Post Test Information
- i) Evaluation
- j) Certificate

7. Accreditation Statement and AMA PRA Statement:

The University of North Dakota School of Medicine and Health Sciences must be listed as a joint provider on all promotional materials. A statement of accreditation must be printed exactly as follows:

This activity has been planned and implemented in accordance with the Accreditation Requirements and Policies of the Accreditation Council for Continuing Medical Education (ACCME) through the joint providership of the University of North Dakota School of Medicine and Health Sciences and _____. The University of North Dakota School of Medicine and Health Sciences is accredited by the ACCME to provide continuing medical education for physicians.

The University of North Dakota School of Medicine and Health Sciences designates this activity for a maximum of _____ *AMA PRA Category 1 credit(s)*TM. Physicians should claim only the credit commensurate with the extent of their participation in the activity.

8. Activity Evaluation:

The evaluation must follow the suggested UND SMHS evaluation format and must be approved by the UND SMHS prior to its use. Feedback of the evaluation results to the presenter is a requisite.

9. Fees:

The educational partner will be responsible for the CME Request fee that will be made payable to the University of North Dakota. The Joint Provider will be responsible for the participant fees if applicable.

10. Post CME Activity Responsibilities:

After the CME activity the following information must be submitted to the UND SMHS:

- a) A summary of the evaluations
- b) A typed list of participants requesting CME (including name, address, email address, credentials, and number of credits earned).
- c) A final activity budget if applicable.
- d) A copy of the evaluation feedback to presenter(s)
- e) Documentation of all disclosures
- f) Documentation that Activity was Free of Commercial Bias
- g) A summary of pre/post-test information

SIGNATURES

We, the undersigned, understand that we take the responsibility to certify that this activity will be conducted in compliance with the Accreditation Requirements and Policies of the Accreditation Council for Continuing Medical Education (ACCME) as outlined above.

UND SMHS CME office	Date	Educational Partner	Date
_____	_____	_____	_____
(Responsible Individual)		(Authorized Individual)	