

# THE CME MEETING: Center for Continuing Medical Education Policy on Peripheral Activities Associated with a CME Activity.

The CME meeting consists of all functions associated with an approved CME activity, including all peripheral activities such as food functions and displays. Any function that is present in the same location as a CME activity and is present because of the CME activity must be considered part of the CME meeting. Therefore, all peripheral activities are regulated by CME guidelines.

## PERIPHERAL ACTIVITIES

### I. DISPLAYS

*Commercial displays/exhibits/advertisements* are promotional activities and not continuing medical education. Monies paid by commercial interests to providers for this promotional opportunity are not contributions or 'commercial support' of CME. A letter of agreement is not required for promotional opportunities. CME Activity Directors/Coordinators must advise vendors that payment for promotional opportunities should come from resources designated for that purpose. Arrangements for commercial exhibits or advertisements cannot influence planning or interfere with the presentation, nor may they be a condition of the provision of commercial support for CME activities. Product-promotion material or product-specific advertisement of any type is restricted to the function area designated for this purpose and is prohibited in facilities or online spaces specific to the CME activity.

*Non-commercial displays*, such as poster sessions, may have an educational component that may be approved for CME credit. As such, non-commercial displays may not promote or sell commercial products. Non-commercial displays approved for CME credit must be distinctly separate from commercial displays. A schedule of access to this type of display must be available to participants, and the CME Activity Director/Coordinator must be able to document participation.

#### a. Application for Displaying

The CCME Application for Displaying at a CME Activity is the first step in the process for accepting vendor exhibits or payments for vendor displays. No action will be taken on vendor proposals or agreements for displaying until a completed and signed Application is received by CCME. In addition, CME Coordinators must submit a signed **Application** from all commercial and non-commercial participants expecting to display at a CME activity sufficiently in advance of the start of the activity to allow for time needed to review, revise or approve the application; and to process any subsequent documents or agreements deemed necessary by the parties. The Application for Displaying identifies the CME Activity and date for which the display is intended; the physical site or online space of the Activity; a description of the display area or platform; the display space; the cost/fee options for displaying; and set-up information specific to the display platform (see section e. below). A description of privileges, prohibitions, and conduct must be included in the Application for Displaying and must be initialed by a company representative where designated.

Vendors planning to display at a CME activity must comply with the ACCME's Standards for Commercial Support and The Ohio State University Wexner Medical Center's Vendor Interaction Policy, both of which take precedence over any document or agreement provided by the vendor. Non-compliance with this requirement is regarded as non-compliance with the ACCME Standards and the Vendor Interaction Policy. CCME reserves the right to deny display privileges to any vendor not complying with the Application requirements; and non-compliance may also affect certification of the CME activity.

CCME will assess the activity \$25 to administer and evaluate the Application for Displaying and to ensure compliance with all policies on commercial displays.

#### b. Vendor Display Agreements

Submission of a letter of agreement to display by a vendor will not be accepted as a substitute for the Application for Displaying. While vendor display agreements may be accepted and signed to satisfy vendor requirements, these agreements may not include conditions that concern educational planning or content. Nor may these agreements require compliance with any conditions on debarment or exclusion, indemnification, arbitration, stipulations on how fees are spent, or governing law. CCME will regard any insistence by a vendor to include amended versions of these conditions into their display agreement as a *de facto* educational grant agreement to be treated according to CCME and ACCME Policies on Commercial Support. Therefore, a display opportunity is not a privilege of an educational grant agreement.

### **c. Display Privileges**

Most privileges are determined by the Activity Director/Coordinator and may include the numbers of display participants, or attendance/participation at other peripheral functions. In compliance with the Accreditation Council for Continuing Medical Education (ACCME®) and its Standards for Commercial Support, attendance at CME activities is permitted by exhibitors, but exhibitors are prohibited from commercial activities within the meeting room. This requires that exhibitors remove their company name badge while in the physical or virtual meeting room. Furthermore, when space and materials are limited, exhibitors need to defer to non-commercial registrants. Company representatives are encouraged to register in advance so that they are included in preparations made by the conference coordinator.

Prohibitions are determined by CCME and include a ban on any commercial activity within the facility or platform specific to the CME Activity; proscription on direct sales of any commercial products; the exclusion of illegal services, products or activities, those not appropriate for a scientific venue, or those espousing philosophies or actions contrary to the mission and ethics of The Ohio State University. CCME encourages attendance of exhibitors, commercial and non-commercial, in the approved CME Activity subject to prohibitions; and allows them to ask questions in scientific sessions as long as they disclose their commercial relationship(s).

### **d. Pricing Display Space**

CME Coordinators may only assess market value for display opportunities. The determination of market value considers:

- Actual cost of arranging display space
- Size and profession of audience
- Location/platform of meeting site and display area
- Relative premium of display space
- Size of display space
- Cost of participating in peripheral functions, such as food and beverage functions
- Cost of providing educational materials

Market value should not consider:

- Vendor's financial offers or appeals for discounts
- Vendor's approval of an educational grant
- Relationships between vendors, CME coordinators, or activity faculty
- Access to mailing list or registration lists

CCME recommends that display opportunities for meeting sites within The Ohio State University environment have a market value between \$1000 and \$1750 based on the market value considerations listed above. Activity Directors must be prepared to justify display pricing using principles of market valuation. Pricing of displays, including any differential pricing based on the quality of the display space must be submitted to CCME prior to soliciting applications for displays. CCME recommends that these display prices be included in the budget submitted with the Application for Category 1 Credit. CCME may request a floor plan, or platform designation, of the display venue when significant pricing levels are planned. All vendors must be provided the complete display pricing list and given the option to select from the differential pricing. Contact CCME for updates on market value pricing for display.

CCME regards that it is never appropriate to provide gratis display opportunities to commercial vendors or to accept "in-kind" payment since doing so implies favoritism or a potential conflict of interest. Discounting display opportunities is also inappropriate since it implies favoritism; however, activity directors may discount display fees up to 25% if space remains available in the final two weeks prior to the activity.

### **e. Designing the Display Area**

Displays and display areas may not be designed in such a way as to compel meeting participants to pass through a commercial gauntlet to enter the meeting area or to proceed to other function areas, such as to meals or breaks. Online display platforms may not be imbedded within the educational content of the CME activity, nor may commercial product information reside on any webpage that is used to access online educational content. It is reasonable to consider the interests of the exhibitors when designing the physical or online space for vendor displays, but access to other function areas/spaces should attempt to keep them free of displays.

Designing premium display spaces is permitted, subject to the following conditions:

- CME participants are not compelled to visit premium spaces.
- Market pricing is maintained.
- All displays have the same opportunity to reserve premium space, subject to availability; that is, conditions may not be established that give exclusive rights to certain vendors.
- Price, display size, and location may be considered when defining premium space.

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