

The National Standard at a glance: What's changing?

Topic	Current	National Standard
Scientific Planning Committee (SPC) decisions	Industry members cannot participate in decision-making on the scientific planning committee.	In addition to industry members, other for-profit and not-for-profit sponsor organizations cannot participate in decision-making on the scientific planning committee. <i>Sub-element 1.3</i>
Managing non-compliance with the National Standard	SPC is required to manage non-compliance with specific CPD activity accreditation standards such as conflict of interest.	SPC must now have mechanisms in place to manage non-compliance with ALL elements of the National Standard. <i>Sub-element 2.4</i>
Disclosing conflicts of interest	Individuals must disclose relationships with for-profit organizations only.	Individuals must now disclose ALL relationships with for-profit <i>and</i> not-for-profit organizations. <i>Sub-element 3.1</i>
Written agreements with sponsors	Written agreements are not required between sponsors and providers or the scientific planning committee.	Written agreements are now required between sponsors and providers or the scientific planning committee. <i>Sub-element 4.3</i>
Payment of expenses	(Royal College) Payment of honoraria and travel expenses is the responsibility of the physician organization. Other expenses could have been delegated to a 3rd party. (CFPC) Current standards do not assign the responsibility to pay honoraria or other expenses to a specific organization or individual.	Payment of travel, lodging, legitimate out of pocket expenses and any honoraria offered to members of the SPC, speakers, moderators, facilitators and/or authors may now be delegated to a third-party organization but the CPD provider organization or SPC must retain overall accountability. The CPD provider organization or SPC can never delegate these payments to a commercial interest. <i>Sub-element 4.4</i>
Adherence to privacy, confidentiality, and copyright	Current standards do not specify requirements to adhere to privacy, confidentiality and copyright laws when interacting with sponsors.	The National Standard explicitly requires CPD providers to adhere to privacy, confidentiality and copyright laws when interacting with sponsors. <i>Sub-element 4.9</i>
Acknowledging sponsors	Sponsors are not required to be recognized with a standard acknowledgment statement. Sponsors were, however, expected to be recognized separate from the educational content.	Sponsors must still be recognized separately from the educational content and they must now be recognized with a standard acknowledgment statement. <i>Sub-element 5.1</i>
Approving incentives	Current standards do not require providers to approve proposed incentives that exhibitors wish to distribute to participants.	If exhibitors wish to distribute any incentives to participants within an accredited CPD activity, the exhibitor must now receive approval from the CPD provider organization. <i>Sub-element 6.5</i>

SCENARIO 1

ELEMENT 1: INDEPENDENCE

This element describes the membership, roles, responsibilities, and decision authority of a scientific planning committee.

National Standard Sub-Element 1.3: Scientific Planning Committee (SPC) decisions

What is sub-element 1.3?

“Representatives of a sponsor or any organization hired by a sponsor cannot participate in decisions related to CPD program elements a) through f) within 1.2” which reads:

- a) Identification of the educational needs of the intended target audience;
- b) Development of learning objectives;
- c) Selection of educational methods;
- d) Selection of speakers, moderators, facilitators and authors;
- e) Development and delivery of content; and
- f) Evaluation of outcomes.

What is the change?

Current	National Standard
Industry members cannot participate in decision-making on the scientific planning committee	In addition to industry members, other for-profit and not-for-profit sponsor organizations cannot participate in decision-making on the scientific planning committee

Example scenario

A national specialty society is planning a conference on women’s cancer. They seek and receive sponsorship from multiple sources, including a national women’s cancer advocacy foundation. The foundation has provided an educational grant in the amount of \$50,000. In previous years, the foundation has participated as a member of the scientific planning committee (SPC). They would like to sit on the SPC again this year as they would like to contribute to the needs assessment strategy.

How does sub-element 1.3 impact this scenario?

In previous years, the foundation could have been a member of the SPC and contributed to decisions related to CPD program (because they are not industry). Sub-element 1.3 of the National Standard, however, now prohibits the foundation (a sponsor) from participating in the SPC and in decisions related to CPD program development.

What are some ideas to help CPD providers facilitate this change related to the SPC?

CPD activity developers and accredited CPD providers are encouraged to align their business processes with the National Standard by January 1, 2018.

What would you do in this situation? Here are some ideas we've heard from other providers:

- The foundation could submit their needs assessment data to the scientific planning committee to help the SPC identify the educational needs of the intended target audience, but the foundation cannot participate on the SPC or in the ensuing decisions. Sub-element 1.2 permits the scientific planning committee to consider data or advice from all sources but must ensure that decision-making related to the identification of needs is under its exclusive control.

SCENARIO 2

ELEMENT 2: CONTENT DEVELOPMENT

This element describes the processes and requirements for members of the SPC and speakers to develop content that is responsive to the needs of the intended target audience.

National Standard sub-element 2.4: Managing non-compliance with the National Standard

What is sub-element 2.4?

“The SPC must have a process in place to deal with instances where CPD activities are not in compliance with the Standard.”

What is the change?

Current	National Standard
SPC is required to manage non-compliance with specific CPD activity accreditation standards such as conflict of interest.	SPC must now have mechanisms in place to manage non-compliance with all elements of the National Standard.

Example scenario

Prov-X's (a provincial medical association) annual scientific meeting is accredited for Royal College Maintenance of Certification (MOC) Section 1 credits through a Royal College accredited CPD provider. A representative from the accredited CPD provider attends the annual scientific meeting and notices three instances where the CPD activity was not in compliance with Elements of the National Standard:

- Three-quarters of the speakers did not include conflict-of-interest slides at the beginning of their talks (non-compliance with sub-element 3.3)
- Prov-X included product-specific advertising in their printed scientific program (non-compliance with sub-element 6.1)
- One speaker provided a view of treatment options that was perceived as unbalanced as it actively promoted one drug manufactured by Industria Inc. over another developed by Drugs Inc. (non-compliance with sub-element 2.2)

When Prov-X's application for accreditation was reviewed, it appeared that there were processes in place which complied with the National Standard. Speakers were advised that they must disclose their relationships to participants and that they must present content balanced across all relevant options related to their area of expertise. In addition, the scientific program that was assessed during the accreditation review did not include any corporate or product-specific advertisements.

How does sub-element 2.4 impact this scenario?

In the past, the SPC has only managed compliance related to COI issues. With the National Standard, they must now develop strategies and processes to ensure compliance with all Elements of the National Standard.

If an individual or group is found to be non-compliant with the National Standard in “real-time”, how could the SPC deal with this situation?

What are some ideas to help CPD providers facilitate this change related to managing non-compliance with all elements of the National Standard?

CPD activity developers and accredited CPD providers are encouraged to align their business processes with the National Standard by January 1, 2018.

What would you do in this situation? Here are some ideas we've heard from other providers:

- During the initial application for accreditation, the accredited CPD provider could ask about the SPC's mechanism to deal with situations where a CPD activity is non-compliant with the National Standard.
- When communicating the results of the accreditation review to Prov-X, the accredited CPD provider could outline the roles and responsibilities of the SPC including the requirement to have mechanisms in place to manage non-compliance with all elements of the National Standard.
- After the activity, the accredited CPD provider could write a formal letter to Prov-X outlining the instances where the CPD activity was not in compliance with the National Standard. It could also require Prov-X's SPC to formally respond as to how they plan to ensure that future CPD activities will be in compliance with the National Standard.

SCENARIO 3

ELEMENT 3: CONFLICT OF INTEREST

This element describes the processes and requirements for gathering, managing, and disclosing conflicts of interest to participants.

National Standard sub-element 3.1: Disclosing conflicts of interest

What is sub-element 3.1?

“All members of the SPC, speakers, moderators, facilitators and authors must provide to the CPD provider organization a written description of all relationships with for-profit and not-for-profit organizations over the previous two years including (but not necessarily limited to):

- a) Any direct financial payments including receipt of honoraria;
- b) Membership on advisory boards or speakers’ bureaus;
- c) Funded grants or clinical trials;
- d) Patents on a drug, product or device; and
- e) All other investments or relationships that could be seen by a reasonable, well-informed participant as having the potential to influence the content of the educational activity.”

What is the change?

Current	National Standard
Individuals must disclose relationships with for-profit organizations only	Individuals must now disclose ALL relationships with for-profit <i>and</i> not-for-profit organizations

Example scenario

A university faculty member is a frequent speaker at conferences. She has been invited to talk at a medical oncology conference. She has received honoraria from three different pharmaceutical companies for clinical trials she ran and has always disclosed these payments to CPD provider organizations.

The faculty member is also a board member of the Canadian Cancer Organization (CCO), which is heavily invested in patient advocacy. The National Standard now requires her to disclose her board membership to the CPD provider organization in addition to her financial relationships with pharmaceutical companies.

How does sub-element 3.1 impact this scenario?

CPD provider organizations might have to educate their SPCs, speakers, moderators, facilitators, and authors that they need to provide additional information in their conflict-of-interest disclosures. Additionally, CPD provider organizations will have to develop and implement solutions for managing all types of conflicts-of-interest when they arise.

What are some ideas to help CPD providers facilitate this change related disclosing conflicts of interest?

CPD activity developers and accredited CPD providers are encouraged to align their business processes with the National Standard by January 1, 2018.

What would you do in this situation? Here are some ideas we've heard from other providers:

- The SPC should provide updated guidance to faculty, speakers, moderators, facilitators, and authors about the new COI expectations.
- The speaker could be required to alter the focus of the talk to limit the areas where conflict-of-interest is significant.
- The topic selected could be changed, but the same speaker be used.
- The SPC could ask for a peer review of the content to ensure that the principles of scientific integrity, objectivity and balance have been respected.
- Both topic and speaker could be eliminated. This is a very uncommon occurrence, but it can be a last resort if a significant conflict-of-interest cannot be otherwise managed.

SCENARIO 4

ELEMENT 4: RECEIVING FINANCIAL AND IN-KIND SUPPORT

This element provides a description of the requirements for CPD provider organizations and the SPC in receiving and distributing financial and in-kind support.

National Standard sub-element 4.3: Written agreements with sponsors

What is sub-element 4.3?

“The terms, conditions and purposes by which sponsorship is provided must be documented in a written agreement signed by the CPD provider organization or SPC and the sponsor.”

What is the change?

Current	National Standard
Written agreements are not required between sponsors and providers or the scientific planning committee	Written agreements are now required between sponsors and providers or the scientific planning committee

Example scenario

CPD Office has accepted two educational grants for a CPD activity this year. The educational grants have come from Pharmacke Inc. (a for-profit organization) and a provincial medical foundation (a not-for-profit organization). Pharmacke Inc. required CPD Office to sign an agreement related to their educational grant but the provincial medical foundation did not. Under the National Standard, CPD Office is now required to have written agreements with all sponsors. These agreements must document the terms, conditions, and purposes by which sponsorship is provided to CPD Office. The problem is that CPD Office doesn't have a sponsorship agreement template and also does not have legal counsel to create one. What to do?

How does sub-element 4.3 impact this scenario?

This sub-element could challenge CPD providers who do not have the budget to hire a lawyer to write agreements. They might wonder if they can repurpose the sponsor's version, but they may not have the legal expertise in order to adapt it for their own purposes.

What are some ideas to help CPD providers facilitate this change related to written agreement with sponsors?

CPD activity developers and accredited CPD providers are encouraged to align their business processes with the National Standard by January 1, 2018.

What would you do in this situation? Here are some ideas we've heard from other providers:

- Speak to colleagues or other offices to acquire an agreement template that could be reviewed by a lawyer vs. developing one from scratch.
- Partner with other CPD offices to develop a shared template and share legal expenses.

SCENARIO 5

ELEMENT 4: RECEIVING FINANCIAL AND IN-KIND SUPPORT

This element provides a description of the requirements for CPD provider organizations and the SPC in receiving and distributing financial and in-kind support.

National Standard sub-element 4.4: Payment of expenses

What is sub-element 4.4?

“The CPD provider organization or SPC can assume or delegate to a third party the payment of travel, lodging, legitimate out-of-pocket expenses and any honoraria offered to members of the SPC, speakers, moderators, facilitators and/or authors. The CPD provider organization or the SPC must approve what payments are delegated and retain overall accountability for these payments.”

What is the change?

Current	National Standard
(Royal College) Payment of honoraria and travel expenses is the responsibility of the physician organization. Other expenses could have been delegated to a 3rd party. (CFPC) Current standards do not assign the responsibility to pay honoraria or other expenses to a specific organization or individual.	Payment of travel, lodging, legitimate out of pocket expenses and any honoraria offered to members of the SPC, speakers, moderators, facilitators and/or authors may now be delegated to a third-party organization but the CPD provider organization or SPC must retain overall accountability. The CPD provider organization or SPC can never delegate these payments to a commercial interest.

Example scenario

Chapter A is holding a CPD activity next week. It has delegated the payment of travel and honoraria to a third-party, MedCom Inc., which is a for-profit educational planning organization.

How does sub-element 4.4 impact this scenario?

While the National Standard permits an SPC to delegate the payment of expenses and honoraria to an eligible¹ 3rd party, the CPD provider organization must approve what payments are delegated and retain overall accountability.

Note that the *CMA Guidelines for Physicians' Interactions with Industry* remain applicable.

What are some ideas to help CPD providers facilitate this change related to the payment of expenses?

CPD activity developers and accredited CPD providers are encouraged to align their business processes with the National Standard by January 1, 2018.

What would you do in this situation? Here are some ideas we've heard from other providers:

¹ The CPD provider organization or SPC can never delegate to a commercial interest the payment of travel, lodging, legitimate out of pocket expenses and any honoraria offered to members of the SPC, speakers, moderators, facilitators and/or, authors.

- The CPD provider organization can continue to assume payment of honoraria and expenses vs. delegating to a 3rd party; it is up to the discretion of the SPC.
- If the CPD provider organization chooses to delegate expenses to a 3rd party organization the SPC, speakers, moderators, facilitators and/or authors should be made aware of these arrangements in advance.
- The CPD provider organization can develop a tracking and reporting mechanism with the third-party organization by requiring, for example,
 - a copy of each individual's expenses
 - pre-authorization to issue payment
 - a copy of the cheque/electronic transfer of funds issued to individuals
- The CPD provider organization can develop written agreement with the 3rd party to whom they are delegating the payments detailing the conditions of the arrangement (including the tracking and reporting mechanisms).

SCENARIO 6

ELEMENT 4: RECEIVING FINANCIAL AND IN-KIND SUPPORT

This element provides a description of the requirements for CPD provider organizations and the SPC in receiving and distributing financial and in-kind support.

National Standard sub-element 4.9: Adherence to privacy, confidentiality, and copyright

What is sub-element 4.9?

“The CPD provider organization or SPC has an obligation to ensure that their interactions with sponsors meet professional and legal standards including the protection of privacy, confidentiality, copyright and contractual law regulations.”

What is the change?

Current	National Standard
Current standards do not specify requirements to adhere to privacy, confidentiality and copyright laws when interacting with sponsors	The National Standard explicitly requires CPD providers to adhere to privacy, confidentiality and copyright laws when interacting with sponsors

Example scenario

The department of emergency medicine at a local hospital (“the department”) is holding an accredited CPD activity next week. Both a non-profit and for-profit sponsor has requested access to the delegate list including participant names, mailing addresses, and email addresses.

How does sub-element 4.9 impact this scenario?

In order to share the delegate information, the department will have to determine whether this practice is permitted under provincial and federal privacy legislation.

What are some ideas to help CPD providers facilitate this change related to privacy, confidentiality, and copyright laws?

CPD activity developers and accredited CPD providers are encouraged to align their business processes with the National Standard by January 1, 2018.

What would you do in this situation? Here are some ideas we've heard from other providers:

- The department could develop a policy related to applicable privacy, confidentiality, and copyright laws.
- The department could embed expressed consent collection in their business processes i.e. through delegate registration forms.
- The accredited CPD providers/Chapters could include a review process to ensure that the physician organization or SPC meets applicable professional and legal standards.

SCENARIO 7

ELEMENT 5: RECOGNIZING FINANCIAL AND IN-KIND SUPPORT

This element provides a description of the requirements for CPD provider organizations and the SPC in recognizing financial and in-kind support received from sponsors.

National Standard sub-element 5.1: Acknowledging sponsors

What is sub-element 5.1?

“The SPC must recognize and disclose to participants all financial and in-kind support received from sponsors of CPD activities as part of a sponsorship acknowledgement page separate from the educational content.”

What is the change?

Current	National Standard
Sponsors are not required to be recognized with a standard acknowledgment statement. Sponsors were, however, expected to be recognized separate from the educational content	Sponsors must still be recognized separately from the educational content and they must now be recognized with a standard acknowledgment statement

Example scenario

A CPD activity organizer has sought and received educational grants from four organizations for their annual meeting. They have also received three pieces of simulation equipment from a simulation centre. In previous years, the CPD activity organizer would have recognized these five sponsors on the back page of their scientific program. They would have used the header “Thank you to our sponsors” and displayed the corporate logos belonging to each sponsor.

The National Standard now requires the CPD activity organizer to recognize sponsors using the standard acknowledgement statement, “This program has received an educational grant or in-kind support from (names of funding organizations).” The CPD activity organizer may continue to use the logos belonging to the corporate sponsors.

How does sub-element 5.1 impact this scenario?

CPD activity organizers should review their previous sponsorship recognition practices and adjust them to use the standard acknowledgement statement.

What are some ideas to help CPD providers facilitate this change related to acknowledging sponsors?

CPD activity developers and accredited CPD providers are encouraged to align their business processes with the National Standard by January 1, 2018.

What would you do in this situation? Here are some ideas we've heard from other providers:

- Review previous scientific programs to determine how much change will be required in future documents.
- Review sponsorship prospectus documents and any sponsorship agreements to determine what changes to future documents should be made to comply with the National Standard.

SCENARIO 8

ELEMENT 6: MANAGING COMMERCIAL PROMOTION

This section defines the requirements related to exhibits and the types of materials that can and cannot be displayed.

National Standard sub-element 6.5: Approving incentives

What is sub-element 6.5?

“Any incentive provided to participants associated with an accredited CPD activity must be approved by the CPD provider organization.”

What is the change?

Current	National Standard
Current standards do not require providers to approve proposed incentives that exhibitors wish to distribute to participants	If exhibitors wish to distribute any incentives to participants within an accredited CPD activity, the exhibitor must now receive approval from the CPD provider organization

Example scenario

To promote engagement, the organizers of a CPD activity are proposing attendees receive a “passport to the exhibitors,” a paper with the name of each exhibitor whereby the representatives at the exhibit hall “stamp” or initial the passport indicating that an individual has visited their exhibit booth. Participants who collect a stamp from each exhibitor will be entered into a draw for an iPad.

How does sub-element 6.5 impact this scenario?

If the CPD provider organization is required to approve any incentive provided to a participant of a CPD activity, what criteria should the CPD provider organization use to approve or deny?

What are some ideas to help CPD providers facilitate this change related to approving incentives?

CPD activity developers and accredited CPD providers are encouraged to align their business processes with the National Standard by January 1, 2018.

What would you do in this situation? Here are some ideas we've heard from other providers:

- The CPD provider should ensure incentives do not overshadow or compete with the educational programming.
- Whether incentives are awarded on an individual or group-basis (draws), incentives should be reasonable and preferably have an educational purpose.
- CPD provider organizations should consider how such incentives may be perceived by CPD activity participants.