

**American Association of Oral and Maxillofacial Surgeons**

**Department of Continuing Education**

**Policies and Procedures**

**Policy on Disclosure of Relevant Financial Relationships and Mitigation of Conflicts of Interest**

**1. POLICY**

The American Association of Oral and Maxillofacial Surgeons (AAOMS) is accredited as a provider of continuing medical education by the Accreditation Council for Continuing Medical Education (ACCME) and is recognized as a provider of continuing dental education by the American Dental Association Continuing Education Recognition Program (ADA CERP). The AAOMS adheres to the ACCME accreditation requirements, including the Accreditation Criteria, the ACCME Standards for Integrity and Independence in Accredited Continuing Education and the ACCME policies, and the AAOMS adheres to the ADA CERP Standards and Procedures in its development and delivery of continuing medical and continuing dental education activities.

It is the policy of the AAOMS to ensure balance, independence, objectivity and scientific rigor in scientific/educational activities. All faculty and others who participate in the planning and execution of an AAOMS activity are required to disclose financial relationships with ineligible companies/commercial interests. An ineligible company/commercial interest refers to any entity producing, marketing, re-selling, or distributing health care goods or services consumed by, or used on, patients. The principal intent of requiring disclosure information is not to prevent faculty with relevant financial relationships from the planning or delivery of content, but rather to ensure that AAOMS CDE/CME activities promote quality and safety, are effective in improving practice, are based on valid content, and are independent of control from ineligible companies/commercial interests and free of commercial bias. Disclosure is required so that course directors may reasonably decide whether to make adjustments in the activity and its faculty, and so that participants in the activity may formulate their own judgments regarding commercial bias in the presentation in light of full disclosure of related information.

**2. SUMMARY OF OPERATING PRINCIPLES GOVERNING DISCLOSURE OF CONFLICTS OF INTEREST**

2.1 Definition: the term “faculty”, as utilized in this policy, refers to any individual delivering educational material to educational activity participants. This includes, but is not limited to, speakers, authors, panelists, moderators and proctors.

Definition: the term “AAOMS Volunteers and Staff”, as utilized in this policy, refers to any activity chairperson, planning committee member or AAOMS Staff member who is in a position to control the development of content of a CME/CDE activity.

Definition: the term “partner”, as utilized in this policy, refers to the spouse or “significant other” of a faculty member, AAOMS volunteer or AAOMS staff member.

Faculty, AAOMS Volunteers and Staff presenters and planners should reflect on whether they or any family members have financial relationships that might influence, or might be perceived to influence, the content of an activity.

Definition: the term “ineligible company/commercial interest,” as utilized in this policy, refers to any entity producing, marketing, re-selling, or distributing health care goods or services consumed by, or used on, patients.

2.2 The expression “conflict of interest” describes the dilemma faced by faculty or planning committee members when their responsibility to remain unbiased may be compromised, or perceived to be compromised, by a simultaneous commitment to ineligible companies/commercial interests related to the subject of a specific scientific/educational activity. A “conflict of interest” is defined as when an individual <sup>1</sup> who is in a position to control the content of a CME/CDE activity has both a relevant financial relationship <sup>2</sup> with or interest in, an ineligible/commercial entity <sup>3</sup>, and has the opportunity to control the activity’s content relevant to the ineligible/commercial entity’s products(s) or service(s).

- 46 <sup>1</sup> ‘Individual’ is defined as a person and their spouse or partner or other immediate family member.  
47 <sup>2</sup> ‘Relevant’ financial interest or relationships are those in which the individual benefits by receiving a salary, research support,  
48 grant, royalty, intellectual property rights, consulting fee, speaking fee, membership on advisory committee or review panel,  
49 ownership interest or other financial benefit in any amount over the last 24 months from an ineligible company/commercial  
50 interest whose products or services are discussed.  
51 <sup>3</sup> ‘Ineligible/Commercial entity’ is defined as any entity producing, marketing, re-selling, or distributing healthcare goods or  
52 services consumed by, or used on, patients. This does not include providers of clinical services directly to patients, government  
53 organizations, or non-healthcare related companies.

- 54 2.3 Disclosures reported must include the name of the ineligible company/commercial interest and the financial  
55 relationship(s) related to the content. Relationship(s) governed by the AAOMS Policy on Disclosure of Relevant  
56 Conflicts of Interest include, but are not limited to:  
57
  - 58 ■ Research grant (including funding to an institution for contracted research)
  - 59 ■ Speakers’ bureau (honoraria for lectureships or other teaching activities; stipends)
  - 60 ■ Stock/bonds (excluding mutual funds)
  - 61 ■ Consultantships (paid or unpaid)
  - 62 ■ Other (i.e.) ownership of patents or companies , royalties , stock options , equity by virtue of past or present  
63 employment of immediate family or relatives; governance (corporate responsibility, corporate allegiances , e.g.  
through service on governing boards)

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### 65 3. IMPLEMENTATION

#### 66 3.1 Disclosure

- 67 3.1.1 All faculty participating in an AAOMS educational activity will receive documentation outlining the  
68 AAOMS Policy on Disclosure of Relevant Conflicts of Interest including the appropriate disclosure forms.
- 69 3.1.2 All AAOMS volunteers and staff with the potential to control the content of an educational activity will  
70 receive documentation outlining the AAOMS Policy on Disclosure of Relevant Conflicts of Interest  
71 including the appropriate disclosure forms.
- 72 3.1.3 For all AAOMS volunteers and staff with the potential to control the content of an educational activity,  
73 disclosure and mitigation should occur **before** topics and speakers are chosen.
- 74 3.1.4 For all faculty participating in the educational activity, disclosure and mitigation must occur **before**  
75 presentations are made or enduring materials finalized. Faculty are required to complete and return  
76 disclosure forms no later than 60 days prior to the presentation of the educational activity.
- 77 3.1.4 All faculty, AAOMS volunteers and staff must disclose any conflicts of interest held by their partner or other  
78 immediate family member.
- 79 3.1.5 If a conflict of interest is related to the subject of the presentation, it must be disclosed to the provider,  
80 regardless of scope, frequency, timing, or number.
- 81 3.1.6 If a conflict of interest is related to the subject of the presentation, the conflict of interest must be mitigated  
82 prior to delivery of the presentation.
- 83 3.1.7 All faculty, AAOMS volunteers, staff and other planning committee members disclosures will be disclosed  
84 to the CME/CDE activity participants/learners prior to the educational activity. These disclosures will be  
85 provided, through the online Web Program for the CME/CDE activity, and within the speaker’s presentation  
86 slides.
- 87 3.1.8 In the event that disclosure is made and mitigated close to the start of the CME/CDE activity, the following  
88 disclosure to the learner will be made, verbal disclosure will be made by the moderator/ speaker prior to the  
89 start of the educational session, the online Web Program disclosure listing will be updated, or other

- 90 mechanism to disclose to learner prior to the presentation in question will be made. Any verbal disclosure  
91 will be documented and placed within the files for the CME/CDE activity.
- 92 3.1.9 Faculty who refuse to disclose financial relationships with ineligible companies/commercial interests will be  
93 disqualified from participation in AAOMS educational activities.
- 94 **3.2 Conflict of Interest Mitigation**
- 95 3.2.1 All completed disclosure forms for an activity will be reviewed by AAOMS staff to determine potential  
96 conflicts of interest.
- 97 3.2.2 A Mitigation of Conflict of Interest in CDE/CME Activities form along with the reported disclosure of the  
98 potential speakers is generated for each speaker for the Committee Chairperson/Planning Committee  
99 member of the Committee on Continuing Education and Professional Development review.
- 100 3.2.3 The Chairperson of the Committee on Continuing Education and Professional Development or other  
101 planning committee member will determine the appropriate course of action to mitigate potential conflicts of  
102 interest. These include, but are not limited to:
- 103       ▪ **Peer Review of Content**
  - 104       ▪ **Referencing the Best Available Evidence**
  - 105       ▪ **Divest the Financial Relationship**
  - 106       ▪ **Other** (please describe)
  - 107       ▪ **Replacement of Individual – *Conflict of Interest Could Not Be Mitigated.***
- 108 3.2.4 Conflict of interest mitigation must occur to the satisfaction of all parties prior to the delivery of a  
109 presentation.
- 110 3.2.5 In the event that a conflict of interest cannot be mitigated prior to the delivery of an educational activity,  
111 the faculty member will be excused from participation in the activity.
- 112 3.2.6 Disclosure statements are received annually and updated throughout the year, as needed, from members  
113 of the Board of Trustees, planning committees and staff are reviewed by the corresponding planning  
114 committee chair prior to planning committee chairs assignments on the committee . For conflicts of  
115 interest that cannot be mitigated, the individual reporting the conflict of interest is asked to recuse  
116 themselves from participation in the development of the activity for which they have a conflict.
- 117 **3.3 Standards for Commercial Support**
- 118 3.3.1 Faculty may not accept payment of any kind from any ineligible company/commercial interest in support of  
119 their presentation during an AAOMS educational activity. Any and all faculty compensation will be at the  
120 discretion of, and controlled by, AAOMS, in accordance with AAOMS Policies and Procedures for  
121 Honoraria.
- 122 3.3.2 Faculty may not display or distribute advertisements or promotional materials within the educational space  
123 immediately before, during or after an educational activity.
- 124 3.3.3 Faculty may not include advertising, trade names, business logos or product-group messages in educational  
125 materials that are part of the educational activity, such as slides, abstracts and handouts.
- 126 **3.4 Penalties for Violation of the AAOMS Policy on Faculty Disclosure of Conflicts of Interest**
- 127 3.4.1 The Committee on Continuing Education and Professional Development will determine if a violation of the  
128 AAOMS Policy on Disclosure of Relevant Conflicts of Interest has occurred.
- 129 3.4.2 AAOMS staff will keep records regarding violations of the AAOMS Policy on Disclosure of Relevant  
130 Conflicts of Interest.

- 131 3.4.3 A first violation of the AAOMS Policy on Disclosure of Relevant Conflicts of Interest will result in a letter  
132 of warning from the Chairperson of the Committee on Continuing Education and Professional Development  
133 being transmitted to the violator.
- 134 3.4.4 A second violation of the AAOMS Policy on Disclosure of Relevant Conflicts of Interest will result in the  
135 violator being suspended from participation as a faculty member in AAOMS educational activities for a  
136 period of at least one year from the date of the violation.
- 137 3.4.5 A third violation of the AAOMS Policy on Disclosure of Relevant Conflicts of Interest will result in the  
138 violator being suspended from participation as a faculty member in AAOMS educational activities for a  
139 period of at least three years from the date of the violation.
- 140 3.4.6 Additional penalties for failure to disclose will be considered at the discretion of the AAOMS Commission  
141 on Professional Conduct.

142 **3.5 Penalties for Failure to Submit Required Documentation**

- 143 3.5.1 Faculty, volunteers and staff who do not submit completed Disclosure of Relevant Conflicts of Interest  
144 documentation at least 60 days prior to the presentation of an educational activity will be disqualified from  
145 participation in that activity and their presentation will be canceled.

146 **4. APPROVALS**

147 Original policy created September 1993  
148 Reviewed annually at the fall meeting of the Committee on Continuing Education and Professional Development  
149 November 2009, November 2010, November 2011, November 2012, October 2013, November 2014, November  
150 2015, November 2016, November 2017, November 2018, October 2019, April 2020  
151 Reviewed annually at the December meeting of the Board of Trustees; December 2010, December 2011, December  
152 2012, December 2013, December 2014, December 2015, December 2016, December 2017, December 2018,  
153 December 2019, May 2020, December 2021  
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