



## **NORTH AMERICAN NEUROMODULATION SOCIETY (NANS) Policy on Financial Relationships with Ineligible Companies**

*February 2024*

NANS policy on financial relationships with ineligible companies (as defined below) is intended to adhere to the [ACCME Standards for Integrity and Independence in Accredited Continuing Education](#), which were designed to:

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

1. It is the responsibility of planners and faculty to exercise the utmost good faith in their responsibilities regarding continuing medical education (CME) accredited activities. Planners and faculty should not use their positions or influence to actively promote their personal financial or professional interests.

2. According to the Accreditation Council for Continuing Medical Education (ACCME), an ineligible company is “those whose primary business is producing, marketing, selling, re-selling, or distributing healthcare products used by or on patients.” They are deemed ineligible because they are not eligible to be accredited in the ACCME system. All individuals involved in accredited content must complete a disclosure form listing all financial relationships between themselves and ACCME-defined ineligible companies for the previous 24 months. This information will be reviewed and published in the written materials that accompany CME accredited activities. Non-compliance with this policy by individuals will result in adverse actions for those individuals, up to and including dismissal of the individual from educational activities.

3. Financial relationships will be reviewed by the NANS Scientific Program Committee, NANS Education Committee, and/or their designees in advance of the NANS CME activity. The mitigation of relevant financial relationships with ACCME-defined ineligible companies for planners, presenters and faculty will adhere to the ACCME mitigation strategies on the “Worksheet for the Identification and Mitigation of Relevant Financial Relationships of Planners, Faculty, and Others” (attached).

4. The ACCME states that “the owners and employees of ineligible companies are considered to have *unresolvable* financial relationships and must be excluded from participating as planners or faculty and must not be allowed to influence or control any aspect of the planning, delivery, or evaluation of accredited continuing education, except in the limited circumstances outlined in Standard 3.2.” No employees/owners of an ineligible company may control content in NANS CME accredited activities. This policy is applicable to planners, reviewers, moderators, invited faculty, and abstract presenters. NANS may consider individual exceptions if it clearly meets the one of the [ACCME’s three special-use case exceptions](#). According to the ACCME, “the inappropriate use of these individuals is considered an egregious practice and can result in an adverse accreditation decision,” therefore NANS will proceed with caution with regards to issuing any exceptions.

5. In the case of an accredited hands-on course, if any employees/owners of ineligible companies are present in the course room, they shall never provide their input into the content of the course. Their role will be to support the logistics of the course only. NANS may consider individual exceptions if a person is invited to serve as a faculty member to teach the safe and proper use of medical devices and do not recommend whether or when a device is used (ACCME exception 3.2c).

6. For NANS oral abstract sessions, the presenting author must submit a disclosure form, listing all financial relationships between themselves and ACCME-defined ineligible companies for the previous 24 months. No presenting authors may be an owner or employee of an ineligible company and be considered for an oral abstract session.

7. For NANS accredited CME session proposals, all individuals involved in the session must submit a disclosure form, listing all financial relationships between themselves and ACCME-defined ineligible companies for the previous 24 months. No individual involved in the planning or presentation of the accepted session may be an owner or employee of an ineligible company. If a session is accepted and one of the individuals involved is determined by NANS to be an owner or employee of an ineligible company, 1) the session may be changed to a non-accredited session and held to the requirements [in ACCME Standard 5](#), or 2) the individual may be replaced, or 3) the session may be removed from the NANS program.

8. Faculty, planners, and speakers should not receive payments from ineligible companies to participate in CME accredited educational activities.

#### ACCME Definitions

**Owner/employee:** According to the [ACCME](#), “Owners and employees are individuals who have a legal duty to act in the company's best interests. Owners are defined as individuals who have an ownership interest in a company, except for stockholders of publicly traded companies, or holders of shares through a pension or mutual fund. Employees are defined as individuals hired to work for

another person or business (the employer) for compensation and who are subject to the employer's direction as to the details of how to perform the job.”



# Worksheet for the Identification and Mitigation of Relevant Financial Relationships of Planners, Faculty, and Others

For more information, visit [accme.org/standards](http://accme.org/standards)



## Note for Continuing Education Staff

Use this sample worksheet to identify and mitigate relevant financial relationships that you have identified for planners, faculty, and others who will control educational content for your education activity. Please make sure that (1) the mitigation strategy is appropriate to the person's role in the activity, and (2) that mitigation is implemented before each person takes on their role.

### STEP 1: Review collected information about financial relationships and **exclude owners or employees of ineligible companies** from participating as planners or faculty.

After collecting all financial relationships from prospective planners, faculty, and others, exclude any persons who are owners or employees of ineligible companies. Ineligible companies are those whose primary business is producing, marketing, selling, re-selling, or distributing healthcare products used by or on patients. For information about exceptions to this exclusion, see [accme.org/standards](http://accme.org/standards).

### STEP 2: Determine **relevant financial relationships**.

Review the information for all persons whom you did not exclude in Step 1 and determine whether each person's financial relationships with ineligible companies are relevant to the content of the education you are planning. Financial relationships are relevant if the following three conditions are met for the prospective person who will control content of the education:

- ✓ 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.

### STEP 3: Choose a **mitigation strategy** for each person who has a relevant financial relationship and **implement** that strategy before the person assumes their role.

Using the lists below, identify which mitigation strategy(ies) will be used for **all persons** with relevant financial relationships who control the educational content of the educational activity. You may select multiple strategies but be sure to use strategies **appropriate to the role(s)** that each person has. You can also identify your own strategies for mitigation.

#### Mitigation steps for planners *(choose at least one)*

- ✓ **Divest** the financial relationship
- ✓ **Recusal** from controlling aspects of planning and content with which there is a financial relationship
- ✓ **Peer review** of planning decisions by persons without relevant financial relationships
- ✓ Use **other methods** *(please describe)*:  
\_\_\_\_\_

#### Mitigation steps for faculty and others *(choose at least one)*

- ✓ **Divest** the financial relationship
- ✓ **Peer review** of content by persons without relevant financial relationships
- ✓ Attest that clinical recommendations are **evidence-based** and **free of commercial bias** (e.g., peer-reviewed literature, adhering to evidence-based practice guidelines)
- ✓ Use **other methods** *(please describe)*:  
\_\_\_\_\_

### Step 4: Document the mitigation strategy(ies) you used for each person with a relevant financial relationship.

A	B	C	D
NAME OF PERSON	ROLE(S) IN ACTIVITY	STEP(S) TAKEN TO MITIGATE RELEVANT FINANCIAL RELATIONSHIP	DATE IMPLEMENTED
<i>Example: Dr. Jones</i>	<i>Planner</i>	<i>Recusal from topic/faculty selection</i>	<i>10/28/21</i>