STATEMENT OF POLICY: The American Pediatric Surgical Nurses Association, Inc. (APSNA) is accredited by the National Association of Pediatric Nurse Practitioners (NAPNAP) and the American Association of Physician Assistants (AAPA) to provide educational contact hours for nurses and physician assistants. APSNA is considered the “Provider” of educational content, as noted in this policy. As such, APSNA’s Education Content Advisory Group (ECAG) is responsible for the design and implementation of continuing activities and requires activity planners to follow strictly the known standards for commercial support.

Purpose: The purpose of this policy is to provide good administrative guidance on assuring that APSNA’s educational activities are free from commercial influence, based upon the best scientific evidence available, and focused on improving member competence, performance in practice or patient outcomes.

These guidelines answer some of the most common questions regarding commercial support. They are not intended to be comprehensive. Additional information can be found in:


Related APSNA Policies and Forms:
1. Remuneration Equity/Conflict of Interest Policy
2. Conflict of Interest Policy
3. Exhibitor Conduct Policy
4. Bioform/Conflict of Interest Form
5. APSNA.org Online Privacy Policy
I. **Definition of a Commercial Interest Organization** -- an organization has a commercial interest if it: produces, markets, sells or distributes health care goods or services consumed by or used on patients; is owned or operated, in whole or in part, by an organization that produces, markets, sells or distributes health care goods or services consumed by or used on patients; or advocates for use of the products or services of commercial interest organizations.

II. A. Commercial supporters may not take the role of a non-accredited partner or participate in a joint sponsorship relationship.
B. **Commercial Interest Organizations are ineligible** for accreditation.
C. An organization is NOT a Commercial Interest Organization if it is:
   1. A government entity;
   2. A non-profit (501(c)(3)) organization;
   3. A provider of clinical services directly to patients, including but not limited to hospitals, health care agencies and independent health care practitioners;
   4. An entity the sole purpose of which is to improve or support the delivery of health care to patients, including but not limited to providers or developers of electronic health information systems, database systems, and quality improvement systems;
   5. A non-healthcare related entity whose primary mission is not producing, marketing or selling or distributing health care goods or services consumed by or used on patients.
   6. Liability insurance providers
   7. Health insurance providers
   8. Group medical practices
   9. Acute care hospitals (for profit and not for profit)
   10. Rehabilitation centers (for profit and not for profit)
   11. Nursing homes (for profit and not for profit)
   12. Blood banks
   13. Diagnostic laboratories

III. **Definition of Commercial Support**:
A. Financial Support - money supplied by a Commercial Interest Organization to be used by a provider for expenses related to the educational activity. Financial support may be provided as an unrestricted grant, educational grant, donation or scholarship.
B. “In-Kind” Support – materials, space or other non-monetary resources or services used by a Provider to conduct an educational activity; which may include and is not limited to human resources, marketing services, physical space, and equipment such as audio-visual materials and teaching tools (for example, anatomic models). In-kind donations may not bear the trade names, logos or other identifying insignia of the Commercial Interest Organization. In-kind support may not include promotion of goods or services of the Commercial Interest Organization. In the event that the trade name, logo or other identifying insignia cannot be removed (i.e. embedded in the piece of equipment), the Provider must ensure that learners are aware of similar products produced by other companies. In addition, disclosure of the in-kind donation and a disclaimer that neither the provider nor accrediting agency endorses the product must be provided to learners. Disclosure must never include the use of the trade name or a product-group message.
IV. Types of Commercial Support for Continuing Educational (CE) Activities.
   A. Commercial Interest Organizations may provide monetary funding or other support ("Commercial Support") for CE in accordance with the following fundamental principles:
      1. Commercial Support must not influence the planning, development, content, implementation or evaluation of an educational activity; AND
      2. Receipt of Commercial Support must be disclosed to learners.
   B. Commercial Support may not be used for direct or indirect financial support to cover the costs of travel, lodging or other personal expenses of non-faculty Health Care Providers attending CE. Commercial Support may be used to support more than one educational activity at the same time or multiple activities over a period of time.

V. Ensuring Content Integrity of an Educational Activity (Bioform/Conflict of Interest Form)
   A. The Director of Education is responsible for ensuring that all individuals who have the ability to control or influence the content of an educational activity disclose all relationships with any commercial interest, including but not limited to members of the Planning Committee, speakers, presenters, authors, and/or content reviewers. The Director of Education is responsible for evaluating whether any relationship with a commercial interest is considered relevant to the content of the educational activity. If the Director of Education has an actual or potential conflict of interest, he or she should recuse himself or herself from this role for the educational activity.
   B. The ECAG must have implemented a mechanism to identify and resolve all conflicts of interest prior to the education activity being delivered to learners.
   C. The ECAG cannot be required by an entity with a commercial interest to accept advice or services concerning teachers, authors, or other education matters, including content, from the entity as conditions of contributing funds or services.
   D. All commercial support associated with a Continuing Nursing Education (CNE) activity must be given with the full knowledge and approval of the ECAG.
   E. An individual who refuses to disclose financial relationships will be disqualified from being a planning committee member, a teacher, or an author of CNE and cannot have control of, or responsibility for, the development, management, presentation, or evaluation of the CNE activity.

VI. Resolution of Conflicts of Interest --.
   A. The Director of Education is responsible for evaluating the presence or absence of conflicts of interest and resolving any identified actual or potential conflicts of interest during the planning or implementation phases of the educational activity. The most current NAPNAP CE Guidelines will be used to guide this process.
   B. Actions taken to resolve conflicts of interest must demonstrate resolution of the identified conflicts of interest prior to presenting/providing the educational activity to learners. Such actions must be documented and the documentation must demonstrate (1) the identified conflict, and (2) how the conflict was resolved. Actions may include but are not limited to the following:
      1. Removing the individual with conflicts of interest from participating in all parts of the educational activity.
      2. Revising the role of the individual with conflicts of interest so that the relationship is no longer relevant to the educational activity.
3. Not awarding continuing education contact hours for a portion or all of the educational activity.
4. Undertaking review of the educational activity by a content reviewer to evaluate for potential bias, balance in presentation, evidence-based content or other indicator of integrity, and absence of bias, AND monitoring the educational activity to evaluate for commercial bias in the presentation.
5. Undertaking review of the educational activity by a content reviewer to evaluate for potential bias, balance in presentation, evidence-based content or other indicator of integrity, and absence of bias, AND reviewing participant feedback to evaluate for commercial bias in the activity.

VII. **Additional Criteria for Ensuring Content Integrity**

A. **Promotion.** A Commercial Interest Organization may not promote its goods or services in relation to the content of an educational activity at any time during which the educational activity takes place including the introduction and conclusion of the activity, regardless of the format of the educational activity.

B. **Advertisements for the Commercial Interest Organization.** Advertisements promoting the products or services of a Commercial Interest Organization in relation to the content of an educational activity must be physically separated from the educational activity, regardless of the format of the educational activity.

C. **Recruitment.** A Commercial Interest Organization may not recruit learners from an audience for any reason.

D. **Confidentiality.** Providers may not share contact information related to learners without written permission from the learner.

E. **Advertising an Educational Activity.** A Commercial Interest Organization may advertise an educational activity for which it has given Commercial Support. Examples of advertising may include but are not limited to: Save the Date cards, flyers and emails.

F. **Acknowledgement of Commercial Support.** Providers may acknowledge Commercial Support provided by a Commercial Interest Organization on marketing materials for the educational activity.

G. **Distribution of the Educational Activity.** A Commercial Interest Organization may not distribute educational activities directly to learners.

H. **Content of the Educational Activity.** Content is the responsibility of the ECAG of the educational activity. All materials used for the educational activity must be free from bias. To guard against the presence of bias, the ECAG is responsible for ensuring the following:
   1. Slides, handouts or other materials presented to the learner related to the educational activity do not display any logos or other trademarks of a Commercial Interest Organization.
   2. Live (in-person) educational activities are presented without reference to a Commercial Interest Organization, except for required disclosure.
   3. Ensuring materials do not include logos, trademarks or other insignia of, or references to, a Commercial Interest Organization, except for required disclosure.
   4. Web-based materials do not include logos, other trademarks or other insignia of, or reference to, a Commercial Interest Organization, except for required disclosure.
5. Evaluations of the educational activity make no reference to a Commercial Interest Organization or its products or services; and
6. Learners are not recruited for any purpose during the activity or evaluation.

VIII. Exhibits, Promotions, Sales, and Giveaways – Please refer to the APSNA Exhibitor Conduct Policy.

A. Commercial exhibits and advertisements are promotional activities and not continuing education. Commercial Interest Organizations may not exhibit, promote or sell products or services during the introduction of an educational activity, while the educational activity takes place or at the conclusion of an educational activity, regardless of the format of the educational activity. Exhibits, promotion and sales must be separated from the educational activity. Marketing or advertisement for exhibits; promotions or sales must take place in a location that is physically separated from the area where educational content is delivered. Commercial Interest Organizations may provide giveaways for learners, as long as there is physical separation between accessing the giveaway and learner engagement in the educational activity. Educational materials for an activity may not be packaged in items bearing logos, trademarks of a Commercial Interest Organization. Social events or meals at CNE activities cannot compete with or take precedence over the educational events.

B. Product-promotion material or product-specific advertisement of any type is prohibited in or during CNE activities. The juxtaposition of editorial and advertising material on the same products or subjects must be avoided. Live (staffed exhibits, presentations) or enduring (printed or electronic advertisements) promotional activities must be kept separate from CNE.

1. Print, advertisements and promotional materials shall not be interleaved within the pages of the CNE content. Advertisements and promotional materials may face the first or last pages of printed CNE content as long as these materials are not related to the CNE content they face and are not paid for by the entities with commercial interests in the CNE activity.

2. Computer-based, advertisements and promotional materials shall not be visible on the screen at the same time as the CNE content and shall not be interleaved between computer ‘windows’ or screens of the CNE content.

3. Audio and video recording, advertisements and promotional materials shall not be included within the CNE. There will be no ‘commercial breaks.’

4. Live, face-to-face CNE, advertisements and promotional materials shall not be displayed or distributed in the educational space immediately before, during, or after a CNE activity. Providers shall not allow representatives of an entity with commercial interests to engage in sales or promotional activities while in the space or place of the CNE activity.

5. Educational materials that are part of a CNE activity, such as slides, abstracts, and handouts, shall not contain any advertising, trade name, or a product-group message.

6. Print or electronic information distributed about the non-CNE elements of a CNE activity that are not directly related to the transfer of education to the learner, such as schedules and content descriptions, may include product promotion material or product-specific advertisement.
7. A provider shall not use an entity with a commercial interest as the agent providing a CNE activity to learners, e.g., distribution of self-study CNE activities or arranging for electronic access to CNE activities.

IX. Expenditure for an individual providing CNE

A. The Provider must have written policies and procedures governing honoraria and reimbursement of out-of-pocket expenses for planners, teachers, and authors. Please see APSNA’s Remuneration Equity/Conflict of Interest Policy.

B. APSNA must pay directly any teacher or author honoraria or reimbursement of out-of-pocket expenses in compliance with the provider’s written policies and procedures.

C. No other payment shall be given to the director of the activity, planning committee members, teachers or authors, co-provider, or any others involved with the supported activity.

D. APSNA requires that supported activity has accurate documentation detailing the receipt and expenditure and follows the APSNA Travel Reimbursement Policy.

E. If teachers or authors are listed on the agenda as facilitating or conducting a presentation or session, but participate in the remainder of an educational event as a learner, their expenses can be reimbursed and honoraria can be paid for their teacher or author role only.